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VOLUME I

MY COUNTRY, 'TIS OF THEE

MY COUNTRY, 'TIS OF THEE

By RUSSELL L. DUNN

VOLUME I

The American People—The Natural Rights and Ruling Rights—Citizens' Military Service—Extraterritorial Obligations

VOLUME II

The Constitutions and Their Periods—Period of Disregard of Constitutions—American Taxation: State, Federal and Executive—Public Land of the United States—Mining in the Public Land

VOLUME III

The Rights to Water—Foreign Relations—Regulation of Commerce—Government Ownership of Commerce—Capital, Knowledge and Political Power—Votes

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MY COUNTRY, 'TIS OF THEE

UNIV. OF
CALIFORNIA

by
Russell L. Dunn.

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CALIFORNIA

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By Russell L. Dunn
San Francisco, California

In Memory of
that true American Citizen and Soldier
who before his Light failed
took horse into the desert
to meet Villa.

854934

FOREWORD

The purpose of this book is to present in connected, reasoned form such an explanation of the basic principles of the institutions of American society, and of the republican form of self-government originated by this society, that the American youth and men who study with the book will understand why they are and remain by free choice original Americans, and why they are not and will not be reversions to types of other nationalists, or proselytes to their degenerate political spawn of socialists, anarchists, soviets or reds.

THE AUTHOR.

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CHAPTER I.

THE AMERICAN PEOPLE

Their Origin.

The American People were originally subjects of the King of Great Britain. They lived in the lands of thirteen American Colonies of his Kingdom which were situated between Canada, another American Colony of his Kingdom north of them, and Florida and Louisiana, American Colonies of the Kings of Spain and France, south and west of them.

Declaration of Independence.

The beginning of the American People was made by their Declaration of Independence on July 4th, 1776. By this Declaration the subjects of the King of Great Britain living in these lands held themselves thenceforward to be free and independent of the King, and held that they, and not the King, thenceforward possessed all dominion over the lands.

Beginning as a white race People. They assumed the Title of "Citizen," indicating equality.

In their beginning the American People held that only those persons living in the lands lately of the thirteen American Colonies who were of white or Caucasian race, immigrants from Great Britain and other European countries, and their descendants, became the American People by their Declaration of Independence. They declared themselves equal as persons in possession of the dominion over the lands, and adopted or assumed the title of Citizen as expressing their equal right of dominion.

Those who were inhabitants of their dominion.

At the time of their beginning the inhabitants in the territory besides themselves were persons of the black or Negro race, immigrants from Africa, and their descendants, and persons of the red or American Indian race, natives of the soil. There were no persons of either the yellow or brown races—Chinese or Malays from Asia—among the inhabitants.

Negroes were slaves.

Persons of the black or Negro race, inhabitants of the dominion, were most of them slaves possessed by persons of the white race. Slaves were held by the American People to be property of the nature of chattels. Slaves had been held to be property of the nature of chattels in the Colonies before the Declaration of Independence.

Foreign slave trade of American People stopped.

In 1808 the American People stopped their foreign trade in slaves. Prior to that year Negroes were an article of their foreign trade, imported, from Africa principally, and exported to Cuba and Brazil principally. The stopping was effected by an Act of Congress under authority of Section 9 of Article I of the Constitution of the United States.

> The immigration or importation of such persons as any of the states now existing shall think proper to admit shall not be prohibited by the congress prior to 1808.

Restriction of domestic slave trade.

From their beginning the American People restricted their domestic slave trade by limiting the territory of their dominion within which slavery was permitted.

The part of them constituting the seven northern of the thirteen independent States, which they

established in place of the thirteen Colonies, very shortly after the Declaration of Independence stopped the domestic slave trade in their own territories by force of acts of their respective Legislatures abolishing slavery in them.

The Ordinance of 1787, made by The United States in Congress assembled, the committee of the thirteen States provided for them by their Articles of Confederation before their real union under the Constitution of the United States, further restricted the domestic slave trade territorially by prohibiting slavery in the lands north of the Ohio River, in which the new States of Ohio, Indiana, Illinois, Michigan, Wisconsin and Minnesota were afterward created.

The Missouri Compromise in 1820, under which Congress admitted the State of Missouri, with slavery permitted, added to the territory from which the domestic slave trade was excluded by prohibiting slavery in the lands west of the State of Missouri and north of the parallel of latitude thirty-six degrees thirty minutes north, the line which has since become the southern boundary of the States of Kansas, Colorado and Utah.

The creation of the State of California by the inhabitants of the former Territory of Mexico, in 1849 further limited the domestic slave trade by the prohibition of slavery within the State, half of which was to the south of the parallel of latitude thirty-six degrees thirty minutes north.

Abolition of Domestic slave trade.

In 1865 the remaining domestic slave trade of the American People was abolished by force of the decision in the Civil War between the States.

The record of this decision by war force is the Thirteenth Amendment to the Constitution of the United States, made in that year.

> Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in the United States or any place subject to their jurisdiction.

Negroes made subjects of the American People.

Beginning with the war decision the American People ceased holding persons of the black race to be property, instead, holding them to be subjects.

Negroes made Citizens.

In 1868 the American People made their black or Negro race subjects part of themselves, Citizens, by force of the Fourteenth Amendment to the Constitution of the United States.

> All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside.

Indians held to be subjects of the American People.

Persons of the red, or American Indian, race who resided in the lands over which the American People had taken dominion from the King of Great Britain were held to be their subjects. The Indians had been held to be subjects of Great Britain's King before the Declaration of Independence. They changed rulers, but not their condition as subjects.

Indians held to be wards though made Citizens.

Later, the American People ceased holding the Indians to be their subjects, holding, instead, that they were part of themselves, Citizens, but with the reservation that they were wards of the rest of the American People. The relation of

ward and guardian is becoming more and more restricted territorially, and is likely to become abolished altogether with the disappearance of the tribal relations of the Indians.

Aliens made Citizens by Treaty covenants and by Naturalization.

Besides the increase of the number of American Citizens through their making over of some of their subjects into Citizens, a further increase has come about through their admission of aliens to become Citizens. This has been done in two ways: first, by treaty covenants with foreign states, providing that certain citizens or subjects of the latter, as the case might be, might become Citizens of the United States by force of the covenants; and, second, through individual aliens, citizens or subjects of foreign states, first making settlement and residence in an American State, and then individually, without first taking consent of their former state, declaring independence of it and of the ruler of it, and accepting, or rather receiving, the right and status of an American Citizen in a form provided by law and referred to as naturalization

Aliens made Citizens by Treaty with France.

The Treaty with France for the cession of her Colony of Louisiana to the United States, made in 1803, covenanted that,

> The inhabitants of the ceded territory shall be incorporated in the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages and immunities of citizens.

Aliens made Citizens by Treaty with Spain.

The Treaty with Spain for the cession of her Colonies of Florida to the United States, made in 1821, covenanted that,

> The inhabitants of the territories which his Catholic Majesty cedes to the United States, by this treaty, shall be incorporated in the Union of the United States, as soon as may be consistent with the principles of the Federal Constitution, and admitted to the enjoyment of all the privileges, rights and immunities of the citizens of the United States.

Aliens made Citizens by Admission of Texas.

In 1845 the independent State of Texas, the Citizens of which were largely and dominantly former Citizens of the United States, originally of the American people, was admitted to the Union of the United States by Act of Congress, the Citizens of Texas becoming thereby Citizens of the United States. Mexicans residing in Texas became Citizens of the United States by its admission.

Aliens made Citizens by Treaty with Mexico.

The Treaty of Guadaloupe Hidalgo, at the close of the war between the United States and Mexico, for the cession of her territories of California and New Mexico to the United States, made in 1848, covenanted that,

> Mexicans now established in territories previously belonging to Mexico, and which remain for the future within the limits of the United States, as defined by the present treaty, . . . who shall prefer to remain in the said territories may either retain the title and rights of Mexican citizens or acquire those of citizens of the United States.

Aliens made Citizens by Treaty with Russia.

The Convention with Russia for the cession of the Russian possessions in North America to the United States, made in 1867, covenanted that,

> The inhabitants of the ceded territory, according to their choice, may return to Russia within three years; but if they should prefer to remain in the ceded territory, they, with the exception of the uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages and immunities of citizens of the United States.

Aliens made Citizens by naturalization.

With the avowed purpose of increasing the population of their States, the American People, from the time of their Declaration of Independence, have made over into Citizens of their States all aliens of the white or Caucasian race who, as individuals, settled on their lands and renounced their former allegiance to the foreign states from which they had emigrated. The American People purposely made the naturalization of aliens easy for them. The King of Great Britain had made the naturalization of aliens in his American Colonies difficult. This was one of the reasons given for the Declaration of Independence.

> He (the King of Great Britain) has endeavored to prevent the population of these States; for that purpose obstructing the laws for the Naturalization of Foreigners.

The interest of foreign states in the American Peoples' naturalization of their Nationals.

The American People have always regarded themselves and the individual alien as the only parties having any interest in their naturalization of the alien. The foreign state in which the alien was citizen or subject did, however, consider that in many cases it had a material interest in its National which the American naturalization did not extinguish. This interest was most often a claim to military service, which

its citizen or subject was held to owe to it at the time of his emigration.

American naturalization is not a release from a service owed to a foreign state.

The American People have been generally and generously misled into believing, incorrectly, that their naturalization of an alien rightfully discharged him of liability for any military or other service he might, at the time of his emigration, be owing or about to owe to the state he was leaving. The contrary is the fact. Should the alien, after his naturalization, re-enter the dominion of his former state, the former state may rightfully enforce payment from him of his debt to it of military or other service, despite his American Naturalization.

American states an asylum for aliens seeking escape from military service.

The lands of the American People have always been considered as a safe asylum for citizens or subjects of foreign states who intended, in leaving them, to escape military or other service to them. These citizens or subjects of foreign states have not even had to be naturalized to take advantage of the asylum the American States offered. But while the land has been a safe asylum, the American ship at sea has not been a safe asylum. By the common law of nations, a ship has been regarded the same as the soil of its state, but the American People have rarely had the disposition and naval power to make the common law of nations effective for them on the sea, so citizens and subjects of foreign states, even though naturalized, have not found American ships a safe asylum. The officers of their foreign states have always seized them and taken them off American ships when they wanted payment of their citizen's or subject's debt of service.

In 1917 the lands of the American People ceased to be an asylum for alien Nationals who came to them to escape payment of their debts of military service to the foreign states of their birth.

Hyphenated Citizens.

All foreign citizens or subjects who became naturalized American Citizens before paying their debts of military or other service to the foreign states from which they came, have not held that their naturalization released them from payment of their debts to foreign states. Many have become naturalized American Citizens, intending to pay their debts of military service to the foreign states whenever the foreign states called on them for payment. They hold themselves bound to pay their old debts of service to the foreign states, as well as bound to pay their new debts of service to the American State which has adopted them. These men are real hyphenated citizens, though the term is commonly applied to naturalized Citizens who try, through their naturalization, to avoid payment of debts of service altogether. Plainly, the kind of hyphenated citizens who would pay both debts is to be preferred to the kind who would pay neither.

A requirement of the alien applying for naturalization, that he shall prove himself as owing no debt of military service to the foreign state to which he would forswear allegiance, would prevent the making of hyphenated American Citizens, and the requirement should be made.

Original purpose of naturalization

The American People at the present time regard their past naturalization of aliens as having accomplished its original purpose of

of aliens accomplished.

increasing their population. They are now beginning the restriction of naturalization, directly, by excluding from right of naturalization aliens of the yellow and brown races—Asiatics and Malays—and, indirectly, by excluding from right of settlement in their lands aliens of the white race who do not measure up to, and on examination pass, certain physical, moral, occupational, educational and property standards made for the purpose by acts of Congress.

Aliens incorporated in American territory by treaties not now made Citizens.

The belief of the American People that the further increase of number of Citizens by admission of aliens is not desirable, has restrained them from making over into Citizens the former subjects of the King of Spain inhabiting the ceded lands of the islands of Porto Rico, Guam and the Philippines. Instead, the American People hold the inhabitants of these islands incorporated in their territory as subjects.

Changes in race and ancestry constitution of American People which have been made.

In the progression of their self-development the original homogenity of race and ancestry of the American People has become changed. From being originally all of the white or Caucasian race, a very considerable part is now constituted of persons of the black, yellow and brown races. From there being a very great preponderance in the white race of those of Anglo-Saxon and British ancestry, the present preponderance is comparatively small. The increase of persons of the Latin, Germanic, Slavic and Grecian ancestry has been relatively much greater than the increase of persons of Anglo-Saxon and British ancestry.

Further change of composite of races in American People not desired by the present dominant element.

Further racial change in the composite of the present American People through the relative increase in the number of persons of the yellow and brown races is not regarded by the persons of the white race as desirable. An increase relatively to their own number of persons of other white race ancestry than Anglo-Saxon and British is not regarded as desirable by the latter.

Exclusion of aliens from settlement and prohibition of land ownership.

Neither the absolute exclusion of aliens of the yellow and brown races from settlement in the lands of the American People, nor restricted admission with prohibition of land ownership by those admitted, would permanently operate to prevent the relative increase of persons of the yellow and brown races to persons of the white race. Neither means is politically practicable to prevent an increase of the proportion of persons of other white race ancestry than Anglo-Saxon and British to the latter.

The natural law of land settlement by aliens.

Persons of that race who can support themselves by the consumption of a less part of the produce of the land than persons of the race in present possession, in the end gain the exclusive possession of the land, make permanent settlement of it, exclude persons of the race in present possession, and ultimately will take dominion of it. This is another way of saying that persons of the race or people having the relatively lower standard of living, or living at the relatively lower cost, in the end get the possession of the land or labor field, pushing out and excluding persons of the race or people having the rela-

tively higher standard of living, or of living at the relatively higher cost. This is the natural law of colonization by an alien race.

Prohibition of alien ownership of land ineffective to prevent alien colonization.

The American People cannot avoid the effect on them of this natural law of alien colonization if they continue to incorporate aliens with themselves either as Citizens, or as subjects, or as residents with the Citizens' right of private land possession. Prohibition of ownership of land by aliens would not prevent the effect of the natural law. Possession of the land would be obtained without taking the title, and the alien colonization would follow.

Absolute exclusion of aliens from settlement.

The American People cannot avoid the effect of the natural law by total exclusion of the aliens from settlement in their lands. The exclusion would prevent invasion by the aliens in peace, but, the difference in the standards of living between the aliens in their own lands and the American People in theirs continuing, the colonizing invasion by the aliens would ultimately come, or be attempted, by way of war. Whenever the excluded aliens with the lower standard of living become forced to accept starvation, that is to say a still lower standard of living, in their own lands, or to accept the alternative of war with the American People for the right of colonization in their lands, they will fight before they will starve.

Laws permitting entails would operate to restrict alien colonization.

The only present effective way to restrict alien colonization in peace so that it shall be impotent to change undesirably the present proportions of races and race ancestry of the American People,

is for them to make their best lands more valuable to hold themselves than to sell to aliens. This can be done by State laws permitting entail, the voluntary creation of a prescribed order of inheritance of land without right of alienation or sale. The best lands will immediately become so valuable for entailed estates that aliens will not then, as now, be offering the highest price for them. Through entailed estates an enormous number of Citizens would become attached to their soil exclusively and permanently. In the aggregate the entailed estates would include so much of the best lands that restriction of alien colonization would be brought about naturally. There would be comparatively little colonizable land for the aliens.

Amendment of Ordinance of 1787.

The States are now prohibited from enacting laws creating entails by a provision of the Ordinance of 1787. The Ordinance of 1787 is the instrument of the compact of the original thirteen States with new States which would thereafter be created. All the States are bound by it. To empower the States to enact laws of entail, the Ordinance of 1787 will first have to be amended. All of the States will have to adopt the amendment.

Limitations of entailed estates and the privileges, immunities and obligations.

Such amendment in terms should provide that only male Citizens of a State, born in the United States, could create or hold a strict entailed estate which would then pass by the entail to the male heir next in life. The extent of an entailed estate should be limited—forty acres or less. It would not have to be in one piece or in one place, only all in one State. The leasing or letting of an entailed estate to aliens

should be prohibited. Entailed estates should be exempt from all inheritance taxes and from execution. The obligations of the title holder should include military service to the State and the United States, and the taking of an oath to support the Government in maintaining its republican form. The penalty for failure to fulfil the obligations should be forfeiture of the title to the heir.

Effectiveness of laws of Entail made by the limitations and privileges.

The limitation of an entailed estate to a comparatively small area would prevent land monopoly by means of entailed estates which was the original purpose of the prohibition made in the Ordinance of 1787. With such estates so limited there would be land enough to provide for all American Citizens who would want to create entails. The prohibition of leasing and letting to aliens would absolutely exclude them from settlement on the great body of the best lands without the complications which could come with exclusion from residence in the territory. The exemptions from inheritance taxes and execution would be such valuable rights that no American Citizen who could, would fail to create an entailed estate to have it a place of refuge in death where tax assessors, tax collectors and tax attorneys could not come like flocking buzzards to their eats.

Obligations with entailed estates would operate to create American race instinct and the power to perpetuate it.

The obligations of the oath of fealty and military service with entailed estates would operate to create an American race instinct springing from its only possible source, permanent attachment to the soil, and a big force of willing-to-fight American men bred with that instinct. These, together, would maintain the

American republican form of government and the American dominion of lands against the destroying forces of other men of the inhabitants —against disruption from within. They would, too, be the heart of the military force which would resist alien colonization when it would be attempted, as it will be from time to time, by way of war. The holders of the titles to the entailed estates would consciously breed men with the race instinct to hold them. Each successive holder of the title would want, besides a direct heir, at least one alternate for him in the direct line.

CHAPTER II.

NATURAL RIGHTS AND RULING RIGHTS

King of Great Britain deprives his American Colonists of their rights, causing the Revolution.

The cause of the American Revolution, made by the Declaration of Independence, was the injury done by the King of Great Britain to his subjects in the Thirteen Colonies when he took from each of them separately rights of the person, and from all of them collectively rights of ruling or governing.

The colonists' doctrine of their rights.

The colonists held that each of them had certain rights of the person which were unalienable natural rights coming and being with each person by Nature, and so inseparable from his person. They held that these certain natural rights were the equal possession of each of them, and as well that all other men had them equally with themselves. The colonists also held that collectively within their certain several lands, the grants of ruling or governing rights theretofore made them by Kings of Great Britain in succession as paramount lords of the land, could not thereafter be taken away or revoked by a King of Great Britain.

The King's Doctrine of his colonists' rights.

The King of Great Britain held contrarywise, that his American colonists had no rights of the person which he was bound to let them hold, and that the King's grants of ruling rights, together with the incidents which had been

created by the colonists' exercise of them, were revocable and destroyable by the King as he willed from time to time.

Colonists win War, regain rights and take from King his rights of dominion over them.

Through their victory in the War of the Revolution, the colonists made their doctrine of their rights prevail over that held by the King. They retook the rights he had taken away and secured their regained possession by taking from the King all his overlord rights of dominion or ruling in the lands of the Thirteen Colonies, so making the Colonies Independent States, in which they held all the rights of dominion or ruling.

American Citizens have two kinds of rights.

American Citizens in their lands thus possess two kinds of rights—natural rights and ruling rights or rights of dominion. The natural rights they possess are also possessed by their subjects and by aliens while residing in their lands. The ruling rights or rights of dominion the Citizens alone possess. Neither their subjects nor resident aliens have any part by right in the ruling rights of American Citizens, except as American Citizens, by their laws grant ruling rights to either of them, or by sufferance permit their exercise.

Importance of distinction between the rights of possession of the two kinds of rights.

The distinction between the rights of possession of the natural rights and of the ruling rights is important. That there is such a distinction has not been very much considered or acted upon by American Citizens. Even the distinction between natural rights and ruling rights has not been sufficiently considered, and which are natural rights and which are ruling

rights, firmly settled. American Citizens, in consequence, has not been firm in maintaining their exclusive possession of, and sole right by right to exercise, the ruling rights in their lands.

Right to attack the Government or persons administering it is a ruling right.

The right by way of published speech or writing to attack the manner or mode of the exercise of the Citizens' ruling rights by themselves, or to so attack the persons through whom, as legislators, officers or courts, they exercise their ruling rights, is a ruling right possessed only by Citizens as a right. Subjects have the right by sufferance. Aliens residing in American lands have nothing of the right.

Aliens resident in American lands can be punished when they exercise this ruling right.

Published speech or writing by resident aliens attacking the Government or the persons administering it can be absolutely suppressed, and the aliens punished by American Citizens, on the ground that the aliens residing in their lands have no ruling rights whatever by right. Instead of suppressing the publication of the alien's speech or writing which attacks the rule of American Citizens on this unquestionable ground of no right of the alien, such attempts as have been occasionally made at suppression, have been made on the questionable grounds of the nature, or of the effect, of the matter of the published speech or writing. These grounds are questionable because opinions will differ as to the nature or effect of any speech or writing published.

Right of organization and association in labor unions is a ruling right.

The right of persons to organize and associate in labor unions or other industrial units of like nature and purposes is a ruling right, not a natural right. Only Citizens possess this ruling right. The organization of resident aliens into

labor unions, or their association with Citizens in labor unions, which has been permitted by sufferance, can be prohibited and suppressed by Citizens through exercise of their ruling rights, on the ground that the resident aliens have not the ruling right to organize or associate in labor unions. Citizens may grant resident aliens this ruling right just as they grant resident aliens the right to be shareholders in their corporations. They have not yet, however, granted resident aliens the right of labor union organization and association in this mode, but have, for the time, permitted their organization and association by sufferance. The Congress has the power to grant aliens the right to associate in American trade or labor unions under the immigration clause of the Constitution.

To establish a uniform rule of naturalization.

Natural rights are equal rights.

The natural rights of men are all equal rights between all men. The measure of the extent of any of them is by the rule that every man's natural right ends, is at its limit, at the point in its exercise where it meets any other man's natural right without conflicting with it. In another form this rule is that no one may so use his own natural right that it deprives another of his natural right.

Ruling rights not destructive of natural rights.

The ruling rights of American Citizens do not rightfully destroy any of the natural rights of any of the inhabitants of their dominion. The inhabitants include Citizens, subjects and resident aliens. The Declaration of Independence

affirms for American Citizens that ruling rights are instituted to secure natural rights, not to destroy them.

> That to secure these (natural) rights (Life, Liberty and the Pursuit of Happiness), governments are instituted among men, deriving their just powers from the consent of the governed. That, whenever any form of government becomes destructive of these ends, it is the right of the People to alter or abolish it.

CHAPTER III.

THE NATURAL RIGHT TO LIFE

Definition of natural right of all men to have Life.

The natural right of all men to Life is the right of each man to have himself the possession of the material things which support life and make it supportable—food, water, air, clothing and shelter—together with the possession of the use of the land which men occupy in common without title, to provide himself with these things. It is also the right of each man to himself have private property, together with the right to take from, and make private property of, the use and produce of the land which men occupy in common without title. It is also the right of any man to labor for any other man, and to take in exchange for his labor, wages, which are exchangeable with other men for the material things which support life and make it supportable.

Natural right of all men to have Life is unlimited in dominion of the American People.

The natural right of all the inhabitants of the dominion of the American People to Life is unlimited. To secure one's life in self-defense against the force or intention of another to destroy it, one may, if need be, rightfully take the life of the other. To secure one's life in self-defense against the negligence of another which would destroy it without intention, for instance, against a negligence of another which would expose one to an infectious or contagious

disease, one may, if need be, rightfully restrain the other from the negligence by force.

Natural rights to have all things which support Life are unlimited.

The natural rights of all the inhabitants to have, each for himself, all the material things which support Life and make it supportable—food, water, air, clothing and shelter—are each of them unlimited. To secure to one's self the possession of any one or several of them immediately necessary for the support of his life or to make it supportable, against the force or intention of another to take them away, one may, if need be, rightfully hold his possession by force, and restrain the hostile force or intention of the other by superior force. To secure to one's self the possession of any one or several of them immediately necessary for the support of his life or to make it supportable, against the negligence of another which would, without intention, deprive him of them, for instance, against a negligence which would expose one's food plants or food animals to plant or animal diseases which would destroy their usability for his food, or which would expose the water which would be his drink to a contamination which would make it unusable for his drink, one may, if need be, rightfully restrain the other from the negligence by force.

Natural right to have private property is unlimited.

The natural right of all the inhabitants to have, each for himself, private property, is unlimited. To secure his possession of private property against the force or intention of another which would take them away from him, one may, if need be, rightfully hold his private property by force, and may restrain the hostile force or intention of the other to take it away by superior

force. To secure tne possession of his private property against the negligence of another which would take it away from him, for instance, against the negligence of another which would expose the private property to destruction by fire, one may, if need be, rightfully restrain the other from the negligence by force.

Natural right to labor for wages is unlimited.

The natural right of any inhabitant to labor for another inhabitant for wages is unlimited. To secure to one's self this natural right against the force or intention of another to deprive him of its exercise, one may, if need be, rightfully restrain the hostile force or intention of the other by superior force.

Natural right of one person to labor for wages is equal right to that of several persons in association for that purpose.

Several inhabitants in association with each other, for instance, associated as a labor union, to work for one or several other inhabitants for wages, have no different nor superior right, by virtue of the association, or otherwise, to the natural right of the single inhabitant. It is a more or less popular delusion of a considerable part of the inhabitants of America, that the contrary is true—that several inhabitants who labor for others for wages, when they have made themselves into an association and called it a labor union, have thereby become invested with a superior natural right to labor for other inhabitants for wages, to the original natural right which each of them possessed before their association, and still possesses after making the association.

Natural right to labor for wages the same as right to life.

The natural right of the inhabitant to labor for wages is not only as unlimited as the right to Life, but, in its essence, is the same as the

right to Life to many of the inhabitants, and equally important. The mass of private property, and the mass or sum of operating capital of the inhabitants of the dominion of the American People, are both increasing far more rapidly than the number of inhabitants, and with them the proportion of the inhabitants who labor for wages, to those who do not, is increasing. This does not necessarily mean that the rich are getting richer and the poor getting poorer, but merely that the distinction between rich and poor, so far as working for wages is concerned, is disappearing. Rich as well as poor are now giving labor for wages which, in many instances, are part paid by themselves as part owners in the business hiring them to work.

Comparatively few laws made securing right of individual to labor for wages.

Although a great many laws have been made by Citizens to secure the right to Life directly, for instance, laws which, at the public charge, quarantine the sick from the well, provide hospitals and asylums for the indigent sick, provide asylums for indigent orphans, provide free homes and pensions for the indigent too aged to labor, and provide free prisons for the detention of criminals, very few laws have been made to secure the right to Life indirectly through securing, inviolably, the right to work for wages so as to have the material things which support Life and make it supportable.

American People through their Government should provide labor on public works

Laws which would at all times provide work for wages on public works, at the public charge, for all inhabitants not engaged in work for private employers or provided with property sufficient for their support without work, are laws which American Citizens should make. It

for all unemployed.

is an obligation of dominion of the American People to provide, through exercise of their ruling right, labor for wages to those inhabitants who are unemployed by private employers. In other words, the Government of the American People being instituted by them for the purpose, among others, of securing the natural right to Life to all Men, is bound to secure it, and further bound, if possible, to secure it through compelling among men the recognition of the natural rights which provide directly, or indirectly, the material things which support Life and make it supportable.

Wage rates for unemployed on public work.

The wage rates at the public charge should be lower than the rates paid by private employers for the same class of labor, in order to insure that private employers would always have all the labor they would require without their competing for the labor with the Government. Such public employment of the unemployed would probably increase the cost of public works. The increase, however, is all the cost charge the public would pay to provide employment for the unemployed; besides, there is no obligation on the Government to build public works at the lowest cost, and there is an obligation on it to provide employment for the unemployed. There are always public works to be built by the Government at the public charge, as distinguished from public works being operated by labor under officers at the public charge. The wages of labor employed in the operation of public works under officers should be the same, not less, than wages paid for the same work by private employers.

Tramp evil curable by providing labor for wages on public works at public charge.

Such laws providing labor at wages for the unemployed would do very much to end the present tramp evil, and to lessen the evil of a professional criminal class. Work at wages would be provided for tramps and professional criminals which they could be compelled to accept by force of law, with the alternatives that they could always cease working for the Government by getting work at higher wages from private employers, or cease working for wages at all by getting jail and labor without wages.

CHAPTER IV.

NATURAL RIGHTS OF INHABITANTS IN THE PUBLIC LANDS

Definition of public land.

The common or public land is all the land, including land under water and the water on it, in the dominion of the American People, which is neither private property of inhabitants, nor land dedicated by the People as a site from which to accomplish a purpose of their ruling rights exercised through their Governments.

A free, unobstructed and unconditional right of way on public land is natural right of inhabitants.

All of the inhabitants of the dominion of the American People have a natural right to take and have a free, unconditional and unobstructed right of way for themselves and possessions over the common or public land. This natural right is unlimited. It is the same right for all persons of the inhabitants and for all their movable possessions. It is the same right, whether the right of way taken is over upland public land or over water-covered public land. It is the same right for several persons together as for a single person. It is the same right, whether the right of way taken is transient and unmarked, or permanent and marked. It is the same right, whether the right of way taken permanently is for a footpath, a wagon road, a railroad, a ditch, a pipe line, or a pole and wire line.

Natural right to right of way same over public land as over public water.

A man in a motor car has the same natural right to a free, unconditional, unobstructed right of way over the upland public land as a man in a motor boat has to a free, unconditional, unobstructed right of way over the water on the under-water public land. A man has the same natural right to a right of way to drive his cattle over the upland public land on their own feet, that he has to carry his cattle in boats over the public water on the under-water public land. A man has the same natural right to take and have for himself a right of way for a railroad line, ditch line, pipe line, or pole and wire line, over the public land, that he has to take and have himself a right of way for his solitary, transient passing over the public land.

Laws which secure natural right to rights of way on public land.

Laws which provide against the obstructing of rights of way, which define the width of permanent rights of way, and which provide for unobstructed crossings by one permanent right of way by another permanent right of way, all secure the natural right, and such laws are made in the rightful exercise of their ruling rights by American Citizens.

Laws which destroy natural right to rights of way on public land.

Laws which impose a toll, fee, tax, or money charge to be paid by the inhabitants, or by any of them, for any right of way over the public land, and laws which make conditions which the inhabitants, or any of them, must conform to in order to take and have any right of way over the public land, destroy the natural right, and such laws are made in the wrongful exercise of their ruling powers by American Citizens.

Taking of wild game and fish from public land is a natural right.

All the inhabitants of the dominion of the American People have a natural right to take and have wild game and fish from the public land. Wild game and fish do not belong to any person until they are taken. They do not belong to the American People, although they live in their dominion. They are free things by Nature —food or clothing produced free by Nature for all men to take and have.

Natural right to take wild game and fish from public land is unlimited.

There are no limitations on the natural right of all the inhabitants to take and have wild game and fish from the public land. The right is the same, whether the wild game is on the upland public land, or on the public water over the under-water public land. The right is the same, whether the fish is in fresh-water streams and lakes on the upland public land or in the salt water of bays and oceans over under-water public lands. The right is the same, whether the wild game and fish are taken for the food or clothing of the person taking, or to be sold by the person taking to become food or clothing for other persons. It makes no difference in the natural right, for instance, of a hunter to shoot and have wild ducks, whether he shoots them to use himself for food, or shoots them to sell to other persons in order to get money with which to buy himself something else than ducks for food. Either way, the shooting of the wild ducks provides the shooter with food.

Laws which secure natural right to take and have wild game and fish

Laws which define certain seasons within which wild game or fish may not be taken; laws which prohibit the taking of wild game or fish for a term of years; laws which provide for assisting the increase of wild game and fish at

from the public land.

the public charge; laws which limit the number, size and sex of wild game which may be taken by a person; and laws which limit the size and number of fish which may be taken by a person, secure the natural right. So, also, do laws which protect the natural feeding and breeding grounds of wild game and fish; laws which provide for clear waterways for fish over dams and around fish nets and traps; laws which provide for destroying natural enemies of wild game and fish, and laws which prohibit the taking of wild game and fish with the intention of wasting them after taking. All laws with such purposes are made in the rightful exercise of their ruling rights by American Citizens.

Sport of killing wild game and fish not a natural right.

For instance, a law providing that wild game or fish may not be taken except to provide food, clothing, or a product which is an article of commerce, would secure the natural right and be made in a rightful exercise of the ruling power. In effect, it would be a prohibition of hunting and fishing with no other object than the sport of killing.

Sport of Killing Wild Game and fish is a privilege of dominion.

The sport of killing wild game and fish for the sport of killing solely, is not a natural right. It is not a right at all. It is a privilege of dominion. The Citizens of a State may create this privilege. They may grant the privilege as they will, except that as to themselves the right of it must be equal. They may refuse the privilege to aliens, subjects, and Citizens of other States, or to either of them. They may rightfully, by law, require that the privilege be taken by permit or

license, and by payment of a fee, or by compliance with any other condition. But the privilege the Citizens create must not destroy the natural right, which is the possession of every inhabitant, because wild game and fish are food and clothing for men first, and sport for the rulers of men last.

Laws which would secure natural right to take wild game and fish without causing their extinction.

If there were not enough wild game and fish for all inhabitants wishing to take them within the limitations made by rightful laws, then laws providing for the free registration of all such persons, so that on notice from an officer having the matter in charge, they would become enabled, in the order of their registration, to use their hunting and fishing rights on the public land without destroying the rights of the others in turn following to take an equal portion, would be made in the rightful exercise of the ruling power.

Such laws would secure the natural right to take and have wild game and fish to every person desiring to exercise his natural right. They would be practically self-executing, because the lawful possession of wild game or fish would be based on its having been taken by a registered person having the right to take it.

Laws which destroy natural right to take wild game and fish.

Laws which impose a license fee, tax or any charge to be paid by the inhabitants, or by any of them, to officers for the license to hunt wild game or fish on the public land in the exercise of the natural right, destroy the natural right. Laws which provide that wild game or fish may only be taken in pursuance of the natural right

under a permit granted by an officer in his discretion; laws which prohibit the sale of wild game or fish, or of products obtained from them; or which prohibit their transportation by common carriers, destroy the natural right. All such laws are made in the wrongful exercise of their ruling right by American Citizens.

Grazing domestic animals on public land is a natural right.

All of the inhabitants of the dominion of the American People have a natural right to graze or pasture their domestic animals on the public land. There is no limitation of this natural right. It is the same, whether one animal be grazed or ten thousand animals be pastured at the same time. It is the same right, whether horses, cattle, sheep, goats, hogs or turkeys are the animals grazed or pastured. The grazing of domestic animals is nothing but an indirect way whereby the owners of the animals take food and clothing for themselves from the public land. The natural produce of the land—grass and other forage plants—is taken by the animals and converted into food and clothing for their owners.

Laws which secure natural right to grazing on public land.

Laws which prevent the fencing of the public land so as to make the pasturage on it exclusive and private, instead of public; laws which provide for destroying natural enemies of domestic animals in the public land, and laws which preserve the natural pasture unimpaired, from season to season, by limiting the number and kind of grazing animals seasonally, secure the natural right, and are made in the rightful exercise of their ruling right by American Citizens.

Laws which would secure the natural right to grazing on public land.

If all the inhabitants desiring to exercise the right of grazing on the public land, together have more animals than the number which can seasonally graze on it under the limitations made by rightful laws, a law providing for the free registration of the numbers in the several herds, so that on notice from the officer having the matter in charge their owners would become enabled, in the order of their registration, to exercise their grazing rights through a period embracing a term of several seasons, in place of a single season, would be made in the rightful exercise of the ruling power. Such laws would be practically self-executing. If the owner of the grazing animals did not have the registration notice of the officer, the grazing of his animals would be unlawful.

Laws which destroy natural right of grazing domestic animals on public land.

Laws which impose a license fee, tax, rent or any charge to be paid by the inhabitants, or by any of them, to an officer for the privilege, or for his permission, to graze domestic animals on the public land, destroy the natural right. Laws which impose conditions of personal service to be rendered by the inhabitants, or by any of them, to officers, as consideration for the privilege of grazing their domestic animals on the public land; and laws which provide for the renting out or leasing out of the public land by officers for grazing use, destroy the natural right. All such laws are made in the wrongful use of their ruling right by American Citizens.

Right to cut timber on public land a natural right.

All the inhabitants of the dominion of the American People have a natural right to take and have the trees growing naturally on the public land. They have the right to take them

and make fuel, lumber or other products from them. There is no limitation on this natural right. The right is the same, whether the taking of the trees is done by the ax of a single inhabitant, to make shelter for himself and to have fuel with which to make his life supportable, or whether it is done by a large number of inhabitants with sawmills and other machinery, to provide lumber for the building of cities or to provide their inhabitants with fuel. The right is the same, whether the trees are taken in clearing the public land so that a settler may plant it, or taken in clearing it so that it can be mined.

Forest on public land not a sacred institution.

There is nothing sacred about a forest on the public land as such, that the natural rights of all Men give way to insure that it shall not be cut by any of them except at the pleasure of an officer, a public servant of all Men. The trees of the forest are simply a crop produced by Nature from the soil of the public land, and, like all other crops produced by Nature from the soil of the public land, the tree crop is subject to being taken and had in the exercise of their natural rights by the inhabitants.

Laws which secure natural right to take trees or timber off the public land.

Laws which prevent the avoidable waste of the forests on the public land by fire or otherwise; laws which provide for destroying natural insect enemies of the trees on the public land at the public charge, and laws which provide for planting trees on the public land to replace those taken by the inhabitants from time to time, secure the natural right. All such laws are made in the rightful exercise of their ruling right by the American People.

Laws which destroy natural right to take trees or timber from the public land.

Laws which make a stumpage charge, or any charge to be paid to an officer by the inhabitants, or by any of them, for the privilege, or for the permit of the officer, to take trees or cut timber from the public land, are wrong laws, because they destroy the natural right. Laws which provide for the Government, by officers, selling the trees or timber by any mode separately from the land on which they stand, destroy the natural right.

Laws which prohibit the inhabitants from cutting and taking trees from the public land, and laws which provide that trees may be cut, and the wood or lumber taken from the public land, only under condition that the inhabitants cutting the trees shall render free service to an officer; for instance, that they shall give him for the privilege, free labor in building roads and trails and extinguishing fires in the forest on the public land, destroy the natural right.

No harm but much benefit resulting from taking trees from the public land by natural right.

All such laws are made in the wrongful exercise of their ruling right by the American People.

If it be said that the inhabitants will take all the trees or timber from the public land if there are no laws restraining the taking the answer is: first, that the inhabitants never have, at any period during the dominion of the American People, taken any more trees or timber from the public land than they needed at the time of the taking, and, second, that they have in all periods of the first one hundred years of that dominion taken all the trees or timber they needed from the public land as they needed them. There was no harm done by the taking, but, on the contrary, much benefit was done the inhabitants.

Between 1848, for instance, when the settlement of California was begun, and 1880, the inhabitants of the territory now embraced in the eleven Rocky Mountain and Pacific Coast States, took about all the timber they used in building their homes and cities, and consumed in their mining and other industries, from the public land. It cannot be seen that harm was done any of the inhabitants of the dominion of the American People by the taking of this timber.

Right to mine and to have the proceeds of mining on the public land is a natural right.

All of the inhabitants of the dominion of the American People have a natural right to take and have the metals and ores and the non-metallic minerals from the public land, together with the right to explore, by way of mining, in the soil of the public land to discover them. There are no limitations on this natural right. It is the same right, whether gold, silver, tin, quicksilver, copper, lead, radium, antimony, zinc, iron, nickel or any of their ores are mined and taken, or whether diamonds, coal, graphite, sulphur, petroleum, salt, saltpeter, borax, gypsum, lime rock or any other non-metallic mineral, are mined and taken.

It is the same right, whether the metals and minerals are taken in their solid forms from the soil of the public land directly, or whether they are taken indirectly from the soil, by first taking the water from the soil which contains them in solution. It is the same right, whether it is exercised to take and have gold from the public land in California, or whether it is exercised to take and have coal from the public land in Alaska. There are no royal minerals or metals in the public land. All metals and minerals in

it look alike in the light of the natural right to take any or all of them.

Laws which secure the natural right to mine in the public land and to have the proceeds.

Laws which declare the size of a tract of the public land, or of the mining claim on it, which a miner may have exclusive possession of during the period in which he is exploring and digging into its soil for metals, ores or non-metallic minerals, and removing them when found, secure the natural right. Laws which define the amount of mining labor, or the extent of mining digging by shaft or tunnel, which a miner must do in a stated period in order that his possession of the mining claim tract of public land shall not become forfeit to some other miner, secure the natural right.

Laws which provide a form or mode of location of mining claims, and for records of notices of location of mining claims and of performance of mining labor on them, secure the natural right. Laws which provide for the disposal of the waste spoil of mining after the metals, ores or non-metallic minerals are recovered, and laws which provide for the safety of persons engaged in mining labor, secure the natural right.

All such laws are made in the rightful exercise of their ruling right by the American People.

Laws which destroy natural right to mine on public land and to have proceeds.

Laws which make a license fee or charge to be paid to an officer by the inhabitants, or by any of them, for the privilege of permission to explore or prospect for metals and ores, and to mine in the public land, destroy the natural right. Laws which require payment of a royalty (the term, there being no American equivalent, is borrowed from Great Britain, where the King

has, or once had, a royal share or rake-off of all the gold and silver mined by his subjects) to an officer from the metals, ores or non-metallic minerals mined and taken from the public land, destroy the natural right. Laws which make a rent charge to be paid an officer for the public land embraced in mining claims, destroy the natural right.

Laws which compel miners to sell to an officer at a price fixed by him, any produce of their mining in the public land, for instance, radium ores, destroy the natural right. Laws which prohibit mining in the public land, for instance, laws prohibiting the mining of coal in the public land of Alaska and prohibiting the mining of the phosphate minerals in the public land in Wyoming and other States, destroy the natural right.

Laws which reserve or set apart public land to be mined commercially by an officer; laws which give an officer a preference to mine and take a mineral over an inhabitant, and laws which provide for the leasing by an officer of public land to be mined, destroy the natural right.

All such laws are made in the wrongful exercise of their ruling right by the American People.

Right to take water from the public land is a natural right.

All of the inhabitants of the dominion of the American People have a natural right to take and have for all their uses and purposes the water on the public land which is not drink. The right to take and have water which is drink, is a natural right of all the inhabitants for themselves and their domestic animals, whether the

water is on the public land or not. The water which is drink cannot be taken and had for any other uses and purposes of water. There are no limitations on the natural right to take and have water on the public land which is not drink.

Right to take water not drink same without regard to use made of water.

The natural right to take and have water on the public land which is not drink, is the same, whether the water is taken for the private uses and purposes of the inhabitant who takes or appropriates it, or whether it is taken to be sold to other inhabitants for their uses and purposes. The right is the same, whether the uses which are made of the water consume it or destroy it as fresh water, as, for instance, irrigation, or do not consume it or destroy it as fresh water, as, for instance, mining and the generation of power and electricity.

Riparian rights defined. May prevent taking of water from public land.

Riparian rights, private property, may prevent the taking and having of the water on public land which is not drink. Riparian rights is the law name which has been given to a private possession of land under water, together with the water on it, where the right of possession, with the actual possession of both the land and the water at will, is held without title to the land under the water, by the holder of the title to the upland bordering the land under the water.

The possession of riparian rights in the States.

The owners of the title to uplands bordering land under water in the original thirteen of the States of the American People possessed riparian rights before the States came into existence. Riparian rights being property, they continued to hold their possession afterwards. The People of some of the States which came into existence

later, granted riparian rights to the holders of the title to uplands bordering land under water in their States. The People of the remaining States have not granted riparian rights. In these States the holders of the title to uplands bordering land under water do not have the right of possession, with the actual possession at will, of the land under water and the water, unless they have title to the land under the water.

Riparian rights in States where existent are same as prior taking of water which is not drink.

It is in the States where there are riparian rights that their presence may prevent the taking of water on the public land which is not drink. The holder of riparian rights takes the actual possession of the water by having it cover the situs of the rights, or flow over it, undiminished in quantity and unimpaired in quality. So riparian rights on fresh-water streams above the ebb and flood of the tides, have the effect of a prior taking of that part of the water of the streams which is not drink, against the taking of it on the public land up-stream from the situs of the riparian rights, for a purpose or use which would diminish the stream flow, or cover of water, over the situs of the riparian rights.

Person taking water which is drink does not become the owner but merely holds for the consumers of the drink.

Since the part of the water which is drink is indeterminate in quantity, it is unseparable as such from the part of the water which is not drink. So, in the taking on the public land of water which is not drink, the part of the water which is drink is also taken. But, as to the latter part, the taker does not become the owner, and cannot dispose of the right to it. Instead, he holds it subject to its being taken at will by the inhabitants, all of whom have the natural right

to it as their drink. The taker, if he delivers their drink to the inhabitants at his expense, is entitled to be paid for the service, but he is not entitled to be paid a price for it as property. On his sale of the part of the water which is not drink he is entitled to make a price, and have the chance of a profit, the same as from the sale of any other article.

Distinction between water which is drink and water not drink.

If, in considering many of the questions which arise from time to time among the inhabitants concerning water, and rights to water, there be clearly kept in consideration the distinction between water which is drink and water which is not drink, there should be little difficulty in arriving at correct conclusions.

Laws which secure natural right to take water from public land.

Laws which establish a rule of measure for the taking of water on the public land; laws which provide for the form and mode of public notices of intention to take water on the public land, and laws which provide for the protection of the quality of water on the public land from impairment by acts of the inhabitants, secure the natural rights to both that part of the water on the public land which is drink, and that part which is not drink. All such laws are made in the rightful exercise of their ruling right by American Citizens.

Laws which destroy natural right to take water from public land.

Laws which require a license fee to be paid to an officer by the inhabitants, or by any of them, for the privilege or permission of the officer, to take water on the public land, destroy the natural right. Laws which require the payment to an officer of a charge for water taken on the public land; for instance, a law making a charge of ten cents, payable to an officer, per

ton of ice cut and taken from public waters, destroy the natural right. Laws which require the payment to an officer of a charge for a particular use of water taken or appropriated on the public land; for instance, a law making a charge of one dollar per horsepower year for electric power generated from the fall of water taken on the public land, destroy the natural right.

Laws which require the payment to an officer of a charge for articles manufactured by the use of water taken on the public land; for instance, a law making a charge of one dollar per ton of commercial nitrates manufactured by using electric current produced from water-power of water taken on the public land, destroy the natural right.

Laws which require as a consideration or price to be paid for the privilege or permission of an officer to take water on the public land, that the inhabitant holding the privilege or permit, contract and agree with the officer or officers that they, or other officers named, shall fix the sale price of the water or of the products or articles made by its use; for instance, a law requiring that the holder of the permit stipulate with an officer, as a consideration for his permission to take the water, that the Boards of Trustees or other officers of cities in which electric light and power produced with the use of the water are sold to the inhabitants, shall fix the sale prices of the same by a particular rule or arbitrarily at their pleasure, destroy the natural right.

Laws which require as consideration to be paid for the privilege or permission of an officer to take or appropriate water on the public land, that the holder of the permit shall serve certain officers or certain inhabitants with water or electric light or electric power free, or at cost, destroy the natural right. Laws which reserve or withdraw water on public land from being taken by the inhabitants, or by any of them, for a particular use, or for any use, destroy the natural right.

Laws which provide that the inhabitants, or any of them, who would hold the privilege or permit of an officer to take water on the public land, shall, before taking the water, file maps of surveys and plans and estimates of the proposed water taking and water using works with an officer or with several officers, and shall then only have the privilege or permission conditioned on the approval by the officer or officers of the surveys, plans and estimates, and not otherwise, destroy the natural right.

All such laws are made in the wrongful exercise of their ruling right by American Citizens.

Right to reside on public land is a natural right.

All of the inhabitants of the dominion of the American People have a natural right to make a residence on the public land, together with the right to plant and cultivate the soil, and to take and have the produce of their planting and cultivation. There are no limitations on this natural right.

Right to reside on public land same without

The natural right to reside on the public land is the same whether the residence taken is in a tent or house on the upland public land, or

reference to purpose or reason for residence.

whether the residence taken is in a boat or a houseboat on public waters over under-water public land. The right is the same, whether the residence taken is that of one inhabitant for one day, or whether the residence taken is that of many inhabitants continuously, so long as the land is public land. The right is the same, whether the residence taken be for trade or labor within a city on the public land, or to farm on or mine in the public land, or simply to pass a vacation period in rest and recreation on a free camp ground.

Laws which secure natural right to reside on public land.

Laws which protect the public land from the establishment of nuisances on it which would make it unfit for purposes of residence, secure the natural right, and such laws are made in the rightful exercise of their ruling rights by American Citizens.

Laws which destroy natural right to reside on public land.

Laws which require the payment to an officer of a fee or rent charge by the inhabitants, or by any of them, for the privilege or permission of an officer, to reside on the public land, destroy the natural right. Laws which require the inhabitants, or any of them, to lease tracts of public land for camps or other residence sites, destroy the natural right. Laws which require occupants of public land for farm purposes to give indentured service, either free or for payment, to officers in the protection of forests from fire, or to give military service, as has been proposed, as part of the consideration to be paid for the privilege or permission of officers to reside on and farm public land, destroy the natural right. Laws which prohibit residence on the public land to any of the inhabitants;

which prohibit farming it, or which prohibit residence on it for any named purpose of trade or occupation, destroy the natural right. All such laws are made in the wrongful exercise of their ruling rights by American Citizens.

Natural rights in public land, rights of the soil, natural right to Life, mean the same thing.

All the natural rights which all of the inhabitants have in the public land, each of them has himself in land which is his property. These natural rights in the public land, integral in the natural right to Life, are thus the natural rights of the soil, since they spring from actual possession of the soil. So, whether the natural right to Life, or the natural rights to have the things which support Life and make it supportable, or the natural rights to the soil, or simply human rights, are named, each stands for and means the same thing, and not a different thing.

Difference in possession of rights of the soil by inhabitants of American States and European States.

In the dominion of the American People all of the inhabitants have the natural rights of the soil, whether they have property in the soil or none. In the dominions of most of the European states only those owners of property in the soil whose families are the permanent rulers of the dominion in their states, have the right of the natural rights of the soil. Self claimed by those of the inhabitants, the remainder acquiesce. They, the great majority of the inhabitants, have only such rights of the soil as the landlord rulers of the states may have granted them as privileges, as was their pleasure, or as they were forced. The Magna Charta is largely a grant of rights of the soil to part of the inhabitants of England which was obtained by force of their arms from their overlord, the King.

American People with intention made difference in their beginning.

The difference of possession of rights of the soil is fundamental in the institutions of dominion of the American People and the British. The difference was made with intention by the American People when they separated themselves and their soil from the dominion of the King of Great Britain.

American People now destroying the difference of institutions they made in beginning.

But, having begun their institution of dominion with the intentional difference of their inhabitants' rights of the soil from those of the inhabitants of the Kingdom of Great Britain, which they had left, the American People, in the middle of their second century of self-dominion, are now about destroying their inhabitants' possession of the rights of the soil, and about destroying with them their Citizens' equality of right of dominion and ruling.

Reversion of American institutions toward type discarded.

What is happening, if, through being allowed to continue happening, it happens, is a reversion of the American People's institution of dominion —a reversion, though, that is unlikely to come true to the Great Britain type, but likely to be a bastard of it with the Russian type.

Privilege made by Men who rule, from natural rights filched from men ruled by them.

Natural rights are free rights. They are the birthgift of Nature to the man—to the individual person. Ruling rights are an invention of Men. With ruling rights Men make privilege to sell to other men who do not rule. Privilege is the stock in trade of Men who rule other men. By selling it to the other men they maintain and increase their rule over them. But the privilege Men who rule make, and sell to other men whom they rule, is always made from some natural right which they have, unseen or unrecognized, first filched from men whom they rule.

Men who rule have filched the natural right to the Pursuit of Happiness from other men whom they ruled, and then have sold part of it back to them as a privilege—religion.

Men who rule have filched the natural right to Liberty from other men whom they ruled, calling them then their slaves, and afterwards have sold part of it back to them as a privilege —that they should thereafter by right call themselves subjects instead of slaves.

Men who rule have filched natural rights of the soil from other men whom they ruled, and have then sold them back part, never all, as a privilege—that they should pay the Men who ruled them for some of the right to Life, all of which Nature had given them free.

American People made their Government to be impersonal Law so that it should exist forever without privilege.

The Men who, as the American People, set up their rule by themselves, for themselves, did this with intention that their rule should be maintained and increased without making or selling privilege. To insure this intention forever, as they believed in their beginning, they made all of themselves equal persons in respect of right of ruling, so there should be no market among themselves for privilege. They made their governments to be impersonal governments of the Law—governments which could only be sustained by their common consent, since the Law, through being impersonal could neither pay, nor be paid, privilege.

The persons through whom their impersonal Law functions in self-judging and in administration of their governments, they declared to be their servants, which is to say servants of the

impersonal Law, bound by the Law as themselves not to make and sell privilege.

American People in beginning undertook to make filching of natural rights impossible.

They had seen that in the countries of Europe, privilege which was made and sold by Men who ruled, was made by them from the natural rights which they filched from men under their rule, so they said they would have none of such Men in their system of government. Instead, they undertook to make them forever impossible in their dominion. They turned the true light on their filching of natural rights from the men they ruled. They said that natural rights were self-evident, free and unalienable. That was the true light, and enough light.

American People failing to prevent filching of natural rights and making of privilege.

Yet, despite the intention of the Men who made the beginning of the American People, the Men who have succeeded them are failing in carrying it out. Men who rule have come into their governments. These Men who rule filch natural rights from the others of us, and make and vend privilege to maintain and increase their rule. Particularly have they filched from the others of us natural rights of the soil, natural rights of the public land, because it was easiest to filch that which the others of us seemed not to know we had.

Mass of wrong laws destructive of natural rights of inhabitants in the public land made since year 1900.

In their beginning the laws which destroyed the inhabitants' rights of the public land were few, and the change which they effected did not seem appreciable. It was regarded as negligible, and that if anything there was gain for the common good. That the laws effected a destruction of natural rights of the public land was not realized, nor that privilege was taking the place

of the destroyed natural rights. Since the year 1900 laws of the kind which destroy the inhabitants' natural rights and create privilege in their place, have been made in constantly increasing numbers. The change which they have effected is so considerable that there is now, in 1919, nothing left of the natural rights of the public land in the inhabitants' possession. The right of the public land is wholly a privilege, made so by the once servants who now rule by the privilege they make and sell. All such laws are wrong laws.

Wrong laws have made privilege in public land where before was natural right.

These wrong laws require payments in money, property, or indentured services, or in all of them, to be made to officers for the privilege in the public land to that which before was free by virtue of being a natural right of the inhabitants. They vest in officers the power of granting or withholding privilege in the public land to that which before any man could take or leave as he himself willed.

These wrong laws have made a crime of the taking of trees, timber, coal, petroleum, and water from the public land without permit from an officer, and deprive men of liberty and property as penalty for committing the crime, where before, trees, timber, coal, petroleum and water were taken in uncounted quantities from the public land by the whole populations of twenty-five States, without the taking being held to be crime, or the takers being tried and convicted as criminals.

Had same wrong laws existed in

Had such wrong laws been made and enforced through the last quarter of the first century of the dominion of the American People.

period 1848-1876 there would have been no settlement of Western States.

the period from 1848 to 1876, the territory of their dominion west of the Missouri River, had they continued to hold it through that period, would, in 1876, have had no more and different inhabitants than it had in 1848. California, however, would not have been held. It would have become an independent State, taken out of the Union by its inhabitants, and with it would likely have gone from the American Dominion all of the land west of the Rocky Mountains.

Enforcement of wrong laws has arrested the development of Alaska.

With only part of these wrong laws enforced in Alaska since 1900, that vast land has no more inhabitants in 1919 than it had in 1900. Had none of these wrong laws been enforced in Alaska, it would have become, since 1900, several States, through receiving an immigration from the present States, the like of which has not been known since the emigration from the States east of the Missouri River peopled and erected the States of California and Oregon.

The enforcement, in 1919, in Alaska of all the wrong laws which destroy natural rights in the public land, would bring about the self-eviction of the present population, because it could avoid the enforcement of these laws by emigration. The population of Alaska replacing these emigrants would be constituted of officers with their indentured servants—hunters and fishermen—the latter taking wild game and fish at the pleasure and by permission of officers, and the payment to them of some kind of license fee.

CHAPTER V.

NATURAL RIGHT OF INHABITANTS TO HAVE PRIVATE PROPERTY.

Natural right to have private property is destroyed by laws made by American Citizens.

In addition to laws which destroy all the inhabitants' natural rights of the soil in the public land, other laws have been made through the further wrongful exercise of their ruling right by American Citizens, which destroy the inhabitants' natural rights of property directly, and so destroy their natural rights of the soil in private land indirectly. Like the laws which destroy the inhabitants' rights of the soil in the public land, and in its place create privilege of the public land in officers, the laws which destroy the inhabitants' natural rights in private property, create a privilege of the private property in officers.

Laws which destroy the natural right to have private property.

Laws which require the owners of particular property to submit to the reformation of their past and present contracts by an officer before the contracts have a right of law to enforce them, destroy the natural right of private property. Laws which deny to owners of private property the right to dispose of particular property, including land, without the permit of an officer, destroy the natural right. Laws which require the owners of certain property to give free of charge a part of the property to an officer (for instance, laws which require from railroads and ships the free transportation of

the officers and his servants); laws which require reports made at the charge of the owner for the use of the officer; laws which provide for a so-called public ownership of property which vests possession of the property, together with the right to take and have the proceeds, in officers, destroy the natural right of property. Laws which deny to owners of particular property a right of way for their property on certain of the public land, destroy the natural right of property.

The California Railroad Commission laws; most so-called public utility acts of the States; and the provisions of the Federal Panama Canal law, which deny to the owners of both railroads and ships the right of way for the ships through the Panama Canal, are laws of the kind which destroy inhabitants' natural rights of private property.

If natural right of one person to have private property can be destroyed by law, natural right of all persons to have private property can be so destroyed.

If it be said that the particular properties, the natural rights of ownership of which are destroyed by these laws, are relatively insignificant compared with all other properties, the natural rights of ownership of which are not destroyed by laws, and that their owners are very few compared with the number of owners of other properties, the answer is, that if a wrongful exercise of their ruling rights by American Citizens can destroy the natural rights of private property for a single inhabitant in a single property, then a further wrongful exercise of their ruling rights can be made to destroy the natural rights of all the inhabitants in all their properties, and so vest its possession and

the right to take and have the proceeds in officers. Private property would so become abolished or destroyed completely as a natural right.

Abolition of private property wanted by Socialists.

This is what the socialists among the inhabitants want—the abolition of private property—the ownership of all private property now existent by the institution of a government they would erect in place of the institution which now exists—and the possession of everything which had been the property of inhabitants, or which would be such property otherwise, vested in officers who would have the power to force just enough proceeds from the property by the compulsory labor of the inhabitants to provide them with food, drink, air, clothing, shelter and recreation, which last mentioned would seem to be the socialistic substitute for the pursuit of happiness.

Property ceases to be property when Government has the title and officers the possession.

The term property, even with the prefix public, does not express with exactness the nature of the title to all the land, buildings and chattels, in the Government, together with the possession of all of them vested in officers. There has been no precise term invented for its description. With title to all the land in the Government, all of the land would be public land, where only part of the land is now public land. Public land is not property, though the possessory right of a private person to the use of it is property. That is plain. But the possession of all of the land, together with the structures and movables on it, vested in officers, has never existed, and so has never been named. If analogy in the American People's institution of Government be followed, the land, structures and movables on it

cease being property and become part of the physical means of Government, the same as land now held as to title by the Government, and as to possession by officers, and used for forts, arsenals and all other purposes incident to the maintenance of the dominion of the American People.

Deprivation of inhabitants of private property rights by laws makes question American Citizens must answer.

The large number of laws already in force which take rights of property and of the soil from inhabitants owning certain properties, together with the persistent suggestions of officers to the Citizens that they make more and still more laws of the same kind, has made a question vital to the future existence of the American People, which American Citizens must answer by exercise of their ruling rights decisively one way or the other.

The question is: Shall American Citizens restore to the inhabitants of their dominion, including themselves, the property rights and rights of the soil in certain of their properties, which they have been deprived of by officers, by repealing the laws which give the officers the possession of the rights; or, shall American Citizens continue to deprive of such property rights and rights of the soil those inhabitants who have already been so deprived, and by making more and more laws of the same kind deprive more and more inhabitants of property rights in more and still more property and soil?

If American Citizens answer this question by repealing every law which destroys property rights and rights of the soil of any inhabitant in any property owned by him, they will thereby

re-establish the institution of American dominion on the doctrine of natural rights to have private property and natural rights of the soil as the institution was established originally.

If American Citizens answer this question by retaining the laws which deprive some inhabitants, including some of themselves, of natural rights of property and of the soil, and by making more laws of the same kind to deprive more inhabitants of natural rights of more property, they will ultimately abolish property and rights of the soil in the inhabitants and destroy the original institution of dominion of the American People, erecting in its place by Revolution without war a socialistic institution of dominion.

CHAPTER VI.

THE NATURAL RIGHT TO HAVE LIBERTY.

Definition of natural right to Liberty.

The Liberty, which is the natural right of all the inhabitants in the dominion of the American People, is the right of each inhabitant to have freedom for his person from involuntary servitude to another person, together with freedom for his person and property from arbitrary interference with them by an officer. It is the natural right of each inhabitant to have freedom of his person from arbitrary search, arrest, or imprisonment by an officer, together with the right of each to have freedom for his property from arbitrary search and seizure by an officer. It is the natural right to have the natural rights of the inhabitants superior to an arbitrary power exercised by an officer, and the right of all the inhabitants to have the Civil power of their Government exercised through impersonal law, superior to the military power of their Government exercised by officers.

Natural right to have Liberty limited by natural right to Life.

Unlike the natural right to Life, unlike the natural rights to have all the things which support Life and make it supportable, and unlike the natural rights of the soil, all of which have no limitations, the natural right to Liberty has a limitation. It is limited by the natural right to have Life. Wherever the exercise of one's

natural right to Liberty would deprive another person of his unlimited natural right to Life, there the natural right to Liberty is limited.

Natural right to be free of involuntary servitude is limited for persons who are sailors.

For instance, the natural right of a person to be free from involuntary servitude to another person is limited for persons who are sailors. A sailor is bound in servitude to the shipmaster during the period of the ship's voyage, and cannot exercise his right to Liberty by quitting his servitude to the shipmaster when it ceases in his mind for any reason to be his voluntary servitude. He must, in such condition of mind, be bound to involuntary servitude for the rest of the period of the ship's voyage. The reason is plain. The quitting of the sailors would let the perils of the sea destroy the ship, and the lives of the persons on her, because at sea the shipmaster could not obtain other sailors to take the places of those who quit. By the sailors quitting, he is rendered helpless to bring the ship into port and save the lives of those on her.

Laws compelling involuntary servitude of sailors at sea are right laws.

Laws which may compel sailors to involuntary service to the shipmaster while his ship is at sea, by making mutiny a capital crime, which may be punishable with death, do not destroy the natural right of the sailors to have freedom from involuntary servitude, but only limit the right so that its exercise shall not destroy the right to Life of other persons. Such laws are made in the rightful exercise of their ruling right by American Citizens.

Natural right to be free of involuntary

The natural right to be free from involuntary servitude to another person is limited for persons in certain servitudes to masters on land,

service is limited for railroad trainmen.

the same as it is limited to sailors in servitude to shipmasters at sea. Trainmen, and all other operative employees of railroads, are persons whose right to be free from involuntary servitude is limited.

They cannot, under all circumstances which they may create, exercise the right to Liberty by quitting their servitude to the owner-masters of the railroads when this servitude, for any reason in their minds, ceases to be voluntary, and if continued would have to be involuntary. They must accept the state of involuntary servitude then until the owner-masters of the railroads have obtained new employees to take their places. The reason is plain.

Suppose that all the trainmen employees of all the railroads in the dominion of the American People had quit their service at 10:00 o'clock in the morning of September 4, 1916, as they had declared they would quit unless by that hour the owner-masters of the railroads had granted their demand that fewer hours should be reckoned a full day's work without reduction of the day wages then paid them.

It is plain that the railroads would have had to stop operating, because the owner-masters would have been unable to obtain new employees to take the places of the 400,000 employees who would have quit. The stopping of operation of the railroads would have stopped the food and fuel supply of the inhabitants of the cities, and so would have destroyed their right to Life, since deprived of food and fuel the inhabitants would be made helpless to support life and have it supportable.

Situation on land when all railroad trainmen quit service together same as on ship at sea when sailors all quit service together.

The situation of the inhabitants of the cities when all the railroad trainmen would have quit their service together, would be the same as the situation of the passengers on a ship at sea when the sailors would have quit service together. Unless the quitting railroad trainmen could be compelled to accept a condition of involuntary servitude until new employees were obtained by the railroad owner-masters to take the place of those quitting, the death of inhabitants of cities would be consequent, the same as the death of passengers on a ship would be consequent if the sailors could not be compelled to accept a condition of involuntary servitude until the ship came to port.

Laws compelling involuntary service of railroad trainmen would not destroy natural right to Liberty.

Laws which would compel railroad employees whenever they would quit voluntary servitude, to yield involuntary service until the master-owners would have obtained other trainmen to take their places, by making refusal of such involuntary service a capital crime, the same as made for sailors on ships at sea, would not destroy the natural right of the railroad trainmen to have freedom from involuntary servitude, but would limit that right so that it would not in its exercise destroy the natural right of other persons to Life.

Laws compelling involuntary service of public service servants would not destroy natural right to Liberty.

The making of such laws would be a rightful exercise of their ruling right by American Citizens, and they may rightfully, besides railroad trainmen, make the employees in public and public utility water works, gas works, and electric light and power works, subject to their provisions and penalties. Employees of any of these put the lives of the inhabitants in danger

by quitting their service together before the officer, if the works are public, or the owner-master, if the works are public utility, can obtain other persons to take their places as employees.

In strikes by public service employees thing to be considered is effect of the strike on other persons.

The reasons which these public and public utility employees may have for quitting together, or striking, as the quitting in that fashion is called, or the more or less of benefits which they hope to gain from the officer or owner-master through stopping the operation of the railroads, or public, or public utility works, are entirely outside of consideration in connection with the laws which are made for the purpose of keeping the railroads and works operating uninterruptedly. The only thing which is in consideration is the consequent effect of the quitting or striking in the particular case on the right to Life of other persons. If that consequent effect of the quitting or striking is a destruction of the natural right of other persons to Life, the law and its penalties apply, otherwise they do not apply.

Necessity for limitation on Liberty in certain cases is of recent origin.

The present (1919) necessity for the declaration in law of the limitation of the natural right to Liberty from involuntary servitude in the cases of servants of public service, and public utility service, works, has arisen in comparatively recent years.

Origin and development of public service of water to inhabitants of cities.

For instance, it is only a very few years since the inhabitants of cities and towns carried water in buckets from near-by springs and streams to their houses. They do this in Russia yet. A little later, men who called themselves watermen or water-carriers, either with buckets in hand

or with barrels on wheels, carried water from the same springs and streams to the houses of such of the inhabitants as paid them for the service.

As cities and towns expanded over larger areas and increased in population, the water of the near-by springs and streams became both inadequate and unusable. It became necessary, in order to get good water and sufficient water, to go to streams or lakes so far away that neither the inhabitants with their buckets, nor the water-carriers with their carts, could go to them for water.

What the inhabitants, each for himself, and the water-carriers for them all, could not do to get this distant water, one person, or several in association, undertook, using improved means. Dams, reservoirs, aqueducts, pumps, filters and pipe lines were built from the distant source of the water into the houses of the inhabitants, supplying them with more, and better, and cheaper water than before. The inhabitants paid the owner of the works for his service, together with a profit for the use of his investment in the works. The cities and towns so provided with water at their houses spread over greater areas and increased in population faster than ever before.

The inhabitants, who had at first provided themselves with water, now depended entirely on the service of one or several persons who had voluntarily undertaken to supply the water, and on the works, the means by which it was supplied. If the owner of the works should neglect or refuse to perform the service by stopping the

water directly, or by taking away the works, the inhabitants of the city or town would have their lives put in danger of destruction for want of the water which was their drink, and their houses and contents put in increased danger from destruction by fire because of the want of the water with which to extinguish fires.

Property used in supply of water, the owner-master of it, and his operative servants, all equally bound to inhabitants in servitude to deliver the water to them.

Because of these dangers, the property used in supplying the water has ceased to be the owner's private property. The inhabitants of the city or town forthwith take what in law is named a servitude in it to supply the water. The property, though the ownership is private, is in law described as dedicated to a public use or service from which it cannot be diverted by the owner. The works, together with their service, become a public utility.

Also, because of the danger to the inhabitants should the water be stopped, the owner of the property is bound in servitude to the inhabitants, or, as it is usually described, to the public, to give the service by supplying the water uninterruptedly. This servitude becomes involuntary whenever his mind makes it so, but he cannot quit the service because it has become involuntary. Both by natural right of the inhabitants to have the water which is their drink, and by law made to secure the right, he can be forced to give the service and supply the water, despite his will not to.

Laws compelling involuntary servitude of water supply service employees.

But the actual personal service to supply the water is in nearly all cases given by employees, servants for wages, of the owner of the works. When the employees together quit the supplying of the water, because to continue it would be

against their will, and therefore an involuntary servitude, it is precisely the same to the inhabitants as though the owner had quit. By the natural right of the inhabitants to have the water which is their drink, they can rightfully force the employees to give the service against their will, the same as they can force the owner to give the service against his will.

Punishment which fits the crime.

Laws, then, which would make it a capital crime for employees of a public utility water supply service to quit together, that is to say strike, before the owner can supply their places with other employees, simply hold the employees in the same relation to the law as the owner of the works. Such laws bind the employees in servitude to give the service to the public to the same extent that the owner is bound in servitude to give the service to the public. The inhabitants, or the public, do not consider the employee or servant apart from the master and owner, or apart from the works which conduct the water to them.

In illustration of the right and force of such laws, it happened in San Francisco that the President of a water company once gave notice that he would shut off the water from the city at a certain hour. He was immediately called on by an officer of the City, who told him that if the water was shut off he would hang him [the water company President] to the nearest lamp-post, and turn on the water. The water was not shut off. It was right law, and had force. It is the kind of law which fits water company employees, who, through striking and quitting their service, shut down the water

pumps and so shut off the water, the same as it fits the water company President when his order shuts off the water.

Recent evolution of Public utility service from self service.

It is because of the recent evolution of public utility service from individual self-service, that the inhabitants have failed generally to see that the change has put limitations on the right to Liberty of all persons alike who give the service as owners or servants. In undertaking to give the service, they become bound in a servitude to the public which gives the public the right to hold them in involuntary servitude, if necessary, in order to get it.

The natural right to have freedom of person and effects from arbitrary acts by officers.

American Citizens, in the beginning of their dominion, valued very highly the natural right to have freedom for themselves from arbitrary search, arrest, and imprisonment by officers, and to have freedom for their property from their arbitrary search and seizure. They had suffered very much from such arbitrary acts done by the King's officers while they were his subjects. They did not propose to have their own officers treat them the same way. While they regarded their rights to this freedom as natural rights which they possessed and could hold without their declaration in written law, they were at pains to declare their freedom in these respects in Bills of Rights which they wrote into their State Constitutions, and again in the Constitution of the Union of their States.

> The right of the People to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue but upon

probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Natural right to freedom from search and arrest in first century.

For the first century and a quarter of dominion of the American People, the fear of the firmness of the People in maintaining their freedom from arbitrary acts of search, arrest and seizure, was sufficient to restrain civil officers from such acts, and in very few instances, the period of the Civil War excepted, did military officers destroy the freedom of inhabitants in this respect.

Since 1906 arbitrary search and arrest by civil officers very common.

Beginning about 1906, arbitrary searches, arrests, and seizures of persons and property by civil officers, have at times been an every-day occurrence in the less thickly populated districts of the Rocky Mountain and Pacific Coast States, and everywhere in Alaska. In these districts of the States, and in Alaska, the natural right of the inhabitants to have freedom for themselves and properties from the arbitrary searches and seizures by officers has been destroyed. In the more thickly populated districts of the States instances of arbitrary searches and seizures, particularly of property, while not of every-day occurrence, have become so common that they no longer attract public notice.

Officers cover arbitrary acts by different officers making and applying opposite constructions of same law.

Civil officers cover their arbitrary acts of search and seizure with what they call their right of administrative construction of laws in their enforcement of them, under different and opposite constructions of the same laws by the officers of two or more Departments of Government charged jointly with its administration,

and under laws which they either make themselves under the alias of administrative regulations, or under laws the making of which they procure from the Citizens by false suggestion of their purpose.

The covering of arbitrary searches and seizures by means of different constructions of the same law made by the officers of different Deparments of Government, makes the inhabitant who happens to be the victim helpless against the officers. Frequently the officer of one Department takes the victim's money under his construction of the law, and the officer of another Department, construing the law oppositely, refuses to give the victim whatever the law says he should receive for his money, or to return him the money.

Officers procure change of law to cover their arbitrary seizures when Courts rule against them.

Another way of effecting this covering is illustrated in an incident of recent occurrence: A Federal law said that Chinese emigrants must procure in China from an American Consul, an officer of the State Department, his certificate that the Chinese was entitled to enter the United States as an immigrant under provisions of the Chinese Exclusion Act, which admitted certain classes of Chinese and excluded other classes, and provided that if a Chinaman came to an American port of entry with such a certificate, and was refused admission, then the United States would pay the return ship passage money.

Under this Act American Consuls in China issued certificates to many Chinese who, on arriving at a port of entry into the United States, were refused landing by officers of the Treasury

Department, who made a construction of the law contrarywise to that of the State Department officers, requiring, instead, that the ship owner pay the expense of the return ship passage.

A ship-owning company appealed to the Courts against this departmental conflict of construction of the law, and, after several years of litigation, obtained from the Supreme Court the construction of the law that the United States should pay the cost of the return passage, as the law said they should. The judgment of the Court was immediately made fruitless to the ship-owning company through the officers of the Treasury Department, which lost in the litigation, procuring, by their suggestion to Congress, the change of the law by a provision added to the act making the annual appropriation for the Treasury Department, so as to make the ship owner pay the cost of the return passage.

By means, first, of contrary administrative constructions of the law, and then by procuring a law for the purpose, civil officers seized property of the ship-owning company, a few dollars at a time, but aggregating a very large sum, in compelling the owners of the ships to pay return passage of lawfully certificated Chinese refused landing at an American port, when the original law, and the intention of the American People in making it, said that the United States should pay the return passage.

Federal Trade Commission Act can be used to cover

The Federal Trade Commission Act, commonly described as the Clayton Act, is a law under which officers can, and do, cover themselves in making arbitrary searches and seizures

arbitrary searches and seizures by officers.

of persons and property, which was procured from the Congress through the false suggestion of officers to the Citizens that its purpose was to prevent unfair conduct of trade by corporations.

American People originally jealous of arbitrary power of officers and effective in preventing it.

American Citizens, in the beginning of their dominion, were very jealous of their natural right to have the natural rights of the inhabitants superior to an arbitrary power exercised by an officer. From their experience in this respect, when they were subjects of the King of Great Britain, they so feared the arbitrary power of the military officers that they undertook to do without either army or navy in periods of peace, and made comparatively few civil officers. They were quick, individually, to resist and subdue civil officers whenever they undertook to exercise arbitrary power in a manner destructive of their natural rights. They were quick to unite to sustain the individual in his resistance of the officer, and effective in taking away from an officer his office. In consequence, civil officers seldom undertook to make arbitrary power exercised by themselves superior to the natural rights of the inhabitants, and failed when they did undertake it.

Fear of arbitrary power which military officers might exercise.

The fear of the arbitrary power which military officers might exercise has continued, and now, as in the beginning of their dominion, is keeping the American People from establishing any real army in periods of peace, and, until the first quarter of the second century of their dominion, without establishing any real navy in periods of peace.

But Citizens, resistant as in the beginning of their dominion to arbitrary power exercised by

military officers, have ceased to be resistant to arbitrary power when exercised by civil officers. They have very largely increased the number of civil officers proportionally to their own number the increase beginning since 1900. They do not now unite to sustain an individual in resistance to an officer who undertakes to make his arbitrary power superior to a natural right of an inhabitant.

Citizens now regard contests between officers and an inhabitant as a sort of modern gladiatorial contest.

Instead of so uniting against the officer, they look on the unequal contest with much the same detachment of personal interest as Roman Citizens looked on contests in their Coliseum. Like them, when the officer, the American public gladiator, has the inhabitant down, and looks to the Citizens for their sign to stick him or let him go, they turn their thumbs down on the luckless inhabitant while he is being stripped of his possessions by the officer, and then reward the officer with more office and more public money. The inhabitant, however, no longer is willing to resist arbitrary power exercised by an officer, because he knows his resistance is certain to be futile, since, if he beats one officer, another officer, with more arbitary power, takes his place, and continues the attack till the inhabitant's resistance is overcome.

Natural right to have civil power superior to Military power.

The natural right of all the inhabitants of the dominion of the American People to have the civil power of their Government superior to the military power has not yet been destroyed for the inhabitants of the States or of Hawaii, Porto Rico and the Philippine Islands. The inhabitants of the Islands of Guam and Samoa, most of them subjects, have been deprived of this right. They are ruled by American naval officers.

Chapter VII.

THE NATURAL RIGHT TO THE PURSUIT OF HAPPINESS.

Natural right to pursuit of Happiness defined.

Happiness may be defined as a self-pleasing state of mind surrounded by words. The natural right of all the inhabitants of the dominion of the American People to the pursuit of happiness is the natural right of each of them to have freedom to pursue, go after, and attain or obtain, any desired self-pleasing state of mind, and to surround it with any kind or quantity of self-pleasing words.

Just as the natural right to have Liberty is the right to have freedom of the body, so the natural right to the pursuit of happiness is, broadly, the right to have freedom of the mind, and since the states of mind which are happiness, are created of the spirit and of the conscience, it is the right to have freedom of the spirit and of the conscience.

The natural right to the pursuit of happiness is the right of every inhabitant to have freedom of religion, together with freedom for its exercise. It is the right of every inhabitant to have freedom of thought, of speech, of writing, and of printing or of the press. It is the right of all the inhabitants to have freedom of peaceable assembly. It is the right of all the inhabitants to have freedom of petition to Legislatures of

the Citizens, and to have freedom of protest and memorial to officers. It is the right of all the inhabitants to have freedom of voluntary association and social organization among themselves.

More kinds of happiness than inhabitants.

The states of mind, which are severally called Happiness, are by nature many more than the number of the inhabitants, since not only does every person have one or more individual states of mind which he holds to be his own individual Happiness, but there are, besides, these many states of mind, religious and others, which are common to large numbers of persons, and so may be described as communal or community Happiness.

Natural right to pursuit of Happiness limited by natural rights to Life and Liberty.

The natural right to the pursuit of Happiness is limited by the superior natural rights to Life and Liberty. The right to the pursuit of Happiness must always be so exercised that it does not destroy the right of another, or even of one's self, to have Life.

The self-brought death described as suicide is often sought in the pursuit of Happiness, but it is a wrongful exercise of this natural right, and so may be rightfully restrained by law. The self-mutilation of the body by so-called knife and fire tests, made in the pursuit of Happiness, is a wrongful exercise of the natural right, and so is rightfully restrained by law.

The so-called rite of blood atonement by human sacrifice, the killing of a person, in the pursuit of Happiness, usually a communal or community Happiness; for instance, the burning to death at a stake of an old woman charged

with witchcraft, whatever occult thing that is, once permitted by law in some of the American colonies before the Revolution; is, by reason of the limitation, a wrongful exercise of the natural right to the pursuit of Happiness, and so rightfully restrained by law where it is not restrained by common consent and common sense.

Natural right to pursuit of Happiness not to destroy natural rights to things which support Life.

The natural right to the pursuit of Happiness must always be so exercised that it does not destroy the natural right of other inhabitants to have all the things which support Life and make it supportable. For instance, one may not destroy the natural right of his children, and other natural heirs to his property after his decease, by giving all his property by will to continue his pursuit of Happiness after death. So laws rightfully limit devises to religious, educational, charitable, and other communal or community institutions of, or for, the pursuit of Happiness, and to their personal representatives.

Also, inhabitants in the pursuit of a particular communal or community Happiness may not exercise their right by means, either positive, as by force, or negative, as by boycott, which deprive any other inhabitant of food, water which is drink and water which is not drink, clothing or shelter. So laws rightfully prohibit force and boycotts as means for the exercise of the right to the pursuit of Happiness.

Natural right to pursuit of Happiness not to destroy

The natural right to the pursuit of Happiness must always be so exercised by one or several inhabitants that it does not destroy the natural right of other inhabitants to Liberty or freedom

natural right of others to Liberty.

of the body. One in pursuit of his own Happiness, or several in the pursuit of a communal or community Happiness, may not imprison, or procure the imprisonment of, other inhabitants. Several in the pursuit of a particular communal or community Happiness, may not deprive other inhabitants of their natural right to labor for wages free from involuntary servitude to those who are in pursuit of the communal or community Happiness.

Pursuit of communal Happiness in Colonies used to deprive persons of Liberty.

Both such imprisonment and deprivations were of common occurrence in several of the American Colonies before the Revolution. Kentucky was largely settled by inhabitants of Virginia, fleeing thence to secure Liberty from imprisonments and deprivations by other inhabitants of Virginia, who were engaged in the pursuit of a communal or community Happiness through a particular religious association in which the fleeing ones refused to pursue Happiness with them.

Natural and rightful pursuits of Happiness.

The pursuit of Happiness by an individual seeking it wholly within his own state of mind; as for instance, in the pursuit of Happiness through marriage and divorce, and the pursuit of communal or community Happiness by several individuals together, but wholly within the several minds as if the several were a single mind; for instance, the pursuit of communal or community Happiness through self-sought association in orders and societies having wholly objective, self-seeking or self-beneficial objects, and societies which may accept but do not proselyte for associates; are wholly natural pursuits of Happiness, so directed by the natural law that

the natural rights of all Men are secure from being destroyed by these pursuits of Happiness.

Pursuits of Happiness which are not natural.

The pursuit of communal or community Happiness by several inhabitants together, subjectively, not objectively, the end sought by them as the communal or community Happiness being the fixation of their particular state of mind and surrounding words, in and surrounding the minds of all other inhabitants; as, for instance, the pursuit of communal or community Happiness through association in religious and other societies which, by force of their several particular conceptions of the only true communal or community Happiness, must each proselyte competitively for associates until one religious association or society has absorbed or destroyed all the others, and so secured to itself all of the inhabitants as associates; is not a natural pursuit of Happiness.

Pursuit of a communal Happiness may be rightful without being natural.

That is not to say, though, that such pursuits of a communal or community Happiness are not rightful pursuits of Happiness. The histories of many countries show instance after instance of communal or community Happiness obtained in a single religious association, which had first absorbed or destroyed all other religious associations in the country. It is to say, though, that laws are rightfully made which secure to all the inhabitants the free right of religious and society association in the pursuit of communal or community Happiness, by limiting all religious and society associations equally, in proselyting for associates, by prohibiting the use of other means than suasion of the mind by words.

Why laws restraining some pursuits of communal Happiness are necessary.

The necessity for such laws arises from the fact that the states of mind which are held communal or community Happiness are not states of mind which the mind reasons from within itself, but are states of mind which the mind has received from the feelings of self-consciousness, and from impulses of conscience, both from outside of the mind and reason which dominate its self-made states. These communal states of mind, taken into it from outside of it, are therefore independent of reason, and not amenable to it.

Experience of Colonists with religious associations.

The experience of the American Colonists before the Revolution had been, that whenever in any of the Colonies any religious association became superior in numbers of associates to the other religious associations, it took advantage of its superior numbers to destroy the others by persecutions, which included in their means, imprisonments, bodily tortures, sometimes death, and deprivations of many natural and other rights. They found by these experiences, that mutual toleration between religious associations existed only when no one of them was so superior in numbers to the others, that tolerance from the others was not necessary for its own protection.

Laws which secure freedom for pursuit of Happiness through religion.

From the fears which their experience had inspired, the Colonists, when they became American Citizens, made laws in their States securing freedom of religion and of its exercise. The first amendment to the Constitution of the United States had the same purpose.

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom

of speech or of the press; or of the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Necessity for these laws still exist and likely to continue a necessity.

The necessity for force of law to restrain religious societies from wrongfully exercising the ruling rights of their Citizen associates to make laws by which the proselyting of their particular society is assisted at the public charge, is the same at the present time as it was in the beginning of dominion of the American People. It will likely continue as long as their dominion exists. Laws which provide for religious instruction, or even for the reading of the books of a particular religion, in the public schools; laws which provide for appropriations of public school funds to the schools of religious societies or for divisions of public school funds with the schools of religious societies; and laws which exempt property of religious societies from taxation, are frequently proposed and sometimes made, the real purpose of which is to assist the proselyting of one or another religious society at the public charge. Also, there is seldom a period in which there are not one or more religious societies, organized more or less secretly by Citizen associates of the societies, for the purpose of destroying other religious societies by means of laws proposed to be made, which, if made, would be wrongful.

This is a condition which seems perpetually to threaten the destruction of the natural right of all the inhabitants to the pursuit of Happiness through freedom of religion, and, consequently, through freedom of thought, speech and the

press. It cannot be reasoned out of existence, but of necessity must be perpetually opposed by Citizens whose states of mind are made and maintained by reason.

Limitations of definitions of speech, writing and printing.

The natural right of the inhabitants to freedom of speech, writing, and printing or the press, is unlimited. What appear to be limitations of the natural right are not such, but are limitations of the definitions of speech, writing, and printing or the press. For instance, the public utterance of words, orally, in writing, or by printing in the press, with intention to injure, or which, without intention, do injure, another inhabitant, is not the public speech, writing and printing which are free by natural right. Neither is the public utterance of words, orally, in writing, or in print, with intention to incite some of the inhabitants to destroy the property of other inhabitants, or to take their lives, or to destroy public works. The first mentioned exercise of freedom of the wrong kind of speech is rightfully restrained by law as being slander and libel, and the last mentioned is restrainable rightfully, but seldom is restrained until the lives of persons and property have been destroyed through its sufferance.

Public officers cannot be injured by freedom of speech in criticising their conduct as officers.

On the other hand, since the administration of the Government of the American People is by impersonal law, no public utterance of words, orally, by writing, or in print in the press, can injure an officer as an individual, so public speech, writing, or printing, critically or condemnatory of the law and of officers of the Government, is in all respects free when made by

Citizens or subjects. Aliens, being mere temporary inhabitants of the dominion, without any right to make or unmake the Government, can have no natural right of the same freedom of speech with reference to the law and officers, which is enjoyed by the Citizens who make both, and by Citizens and subjects who may unmake both.

Natural right to freedom of peaceable assembly.

The natural right of all the inhabitants to have freedom of peaceable assembly is so self-evident that the only questions which have ever arisen are over differences of opinion as to the right of particular places, for instance, streets and other public places, for the assembly. There is, however, the inevitable exception. The Mayor of Oakland, California, refused to permit a meeting of Citizens to advocate "peace," threatening to use the police to disperse it. The meeting was not held.

Natural right of freedom of petition and memorial.

The natural right of the inhabitants to have freedom of petition to Legislatures of the Citizens, and to have freedom of memorial and protest to officers is unlimited, and has never been destroyed. Its exercise, however, has been made so common, and so devoid of the dignity and seriousness of purpose with which petitions, memorials and protests, were made in the period at the beginning of dominion by the American People, that in the present (1900-1919) period the exercise has become more interesting as a rite of political sacrifice of the inhabitants to Legislatures and officers, to the latter quite as if they were little tin gods, than useful to them as a natural right. Legislatures receive

petitions, and officers receive memorials and protests, and then both ignore them. That has come to be expected by the inhabitants, but it does not lessen their pursuit of Happiness by the exercise of the right of petition, memorial and protest.

Natural right to freedom of social organization among the inhabitants.

The natural right of all the inhabitants to have freedom of voluntary association and social organization among themselves is unlimited. Equality in the possession of the natural right by all the inhabitants is not social equality between them. Equality in the possession of the ruling rights by all the Citizens is not social equality between them. Social equality is neither a natural right nor a ruling right. Its existence, when it does exist, if it ever has existence, is by its common acceptance through all the inhabitants having the same state of mind with respect to it.

Social equality and social inequality are states of mind.

Social equality is simply a state of mind, for which there is freedom in the pursuit of it as a Happiness, by natural right. So, too, social inequality is a state of mind less uncommon than the other, which is Happiness, for which there is freedom of the pursuit by the same natural right. The pursuit of Happiness by social inequality is always a means of voluntary association and social organization. It is a communal or community Happiness, not an individual Happiness.

Laws recognizing social inequality are rightfully made.

Laws which recognize social inequality as made by voluntary association and social organization of the inhabitants, are made in the rightful exercise of their ruling rights by American

Citizens. For instance, laws which provide for separate cars or compartments on railroad trains for persons of the white and other races; laws which exclude persons of any race from hotels and other places of public entertainment provided for persons of any other race; laws which provide for the occupancy of restricted districts by certain inhabitants without regard to race, or with regard to race, are all laws made in the rightful exercise of their ruling rights by American Citizens.

Though not yet maintained as rightful, it would seem that laws which provide for the occupancy of restricted districts of cities by inhabitants with regard to race, are rightful, the same as other segregation laws. Such laws would secure the right to the pursuit of a communal or community Happiness by recognizing a social difference, if not a social inequality, between inhabitants.

Confusion of thought in relation to laws recognizing social inequality.

There is confusion in the minds of many inhabitants concerning the rightfulness of all laws recognizing social inequality, or, broadly and more tolerantly, social difference. It has arisen from the fact that many of these laws, intentioned solely to secure the right to the pursuit of Happiness by recognizing social inequality, or social difference, between the races constituting the inhabitants, have had the effect of destroying superior natural rights of one of the races. Inhabitants of the other race, the race dominant in number of Citizens, intent on its pursuit of Happiness, have not always understood that the natural rights of Life and Liberty which these laws, without intention, destroyed

for the other race, are superior to and limit their own natural right to the pursuit of Happiness.

The commercial side of the pursuit of communal or community Happiness.

The commercial side of the pursuit of communal or community Happiness has become developed during recent years (1900-1919), until it has become an active and positive force among the inhabitants, operating by suggestion to the Citizens to procure the making of laws by them, the provisions of which have made the commercial sides of a great many communal or community Happinesses public charges, where originally they had been private charges on groups of the inhabitants pursuing by themselves these communal or community Happinesses. Nor is it the public money which the commercial sides of these communal or community Happiness eat, parasite-like, the most destructive effect of the suggestion of the laws which enable them to live, eat, and multiply their numbers at the public expense. The most destructive effect is that the laws they suggest, in many instances deprive inhabitants of natural rights, and under their cover permit the property of inhabitants to be consumed along with the public funds.

Commercial side of a communal or community Happiness is the side which takes money through the pursuit of it.

Every pursuit of communal or community Happiness has two sides: An active side, which is the commercial side, and a passive or receptive side, which is wholly uncommercial. The active side consists of the persons who pursue the communal or community Happiness, as the promoters, preachers, secretaries and other suggesters of the community or communal Happiness to the passive side. The passive side consists of the persons who, in a more or less

hypnotized state of mind, induced by the suggestion of the active persons, conceive, self-contemplatively, that they have attained the communal or community beatitude or state of Happiness, vicariously, through the reaction or kick of the persons of the active side on the others of the inhabitants. The persons of the active side take money—pay—for pursuing the communal or community Happiness. That is why there is a commercial side to the pursuit of a communal or community Happiness. The passive side persons take a self-pleasing sensation of the mind and give money for it—pay the commercial side, that is to say the persons of it, for giving them the sensation.

Development of commercial side of communal or community Happiness into a public charge.

In the beginning of the pursuit of a communal or community Happiness, the persons who constitute the passive side pay their own money for their sensations of Happiness. But as more and more persons parasitically graft themselves onto the commercial side, there eventually comes a time when the limit of their own money which the persons of the passive side will pay is reached. Then, by suggestion from the commercial side, working through the greater numbers of the passive side to the Citizens, laws are procured from the latter under which public money takes the place of the private money in the paying.

When the communal or community pursuit of a Happiness so becomes a public charge, the persons of the commercial side become officers charged with the administration of the laws. The pursuit of the Happiness by them then becomes a secondary concern to their pursuit of

the public money. The number of the officers of administration, and the sums which they draw in salaries, wages, and expenses of administration, from the public funds, constantly tend to increase, while the number of persons of the passive side tend to decrease since they may no longer measure their self-pleasing sensation of the pursuit of the Happiness by the sum of their own money which it costs.

National Forest Service is example of commercial side of community Happiness becoming public charge.

The National Forest Service is an example of the commercial side of a communal or community pursuit of Happiness becoming a public charge. Originally, the pursuit of this particular communal or community Happiness was limited to a self-selected group of the inhabitants, who obtained a self-pleasing sensation of mind in the suggested thought that they were saving the natural forests on the land from destruction by the growing industrial demands on them as raw material. Proselyting, they added to the number of the group, till the number of Citizens embraced in it became great enough, on suggestion from the persons of the commercial side, assisted by officers for officers' reasons, which are also commercial, to make laws which made it a public charge. It is not a small charge, either.

The National Forest service costs directly over $7,000,000 of public money annually, and indirectly, through its interference with the natural rights of the inhabitants, much more annually. These enormous sums are the development from the original public charge of a $1 annual salary

paid the first officer a quarter of a century ago, when it first became a public charge. Looking backward, the first $1 a year man seems to have been paid too much salary.

CHAPTER VIII.

THE RULING RIGHTS OF CITIZENS.

Definition of ruling rights of American Citizens.

The ruling rights of American Citizens are the rights of dominion over the inhabitants on the soil, with which they invested themselves when they seized the territories of the thirteen American Colonies of Great Britain, and ousted the King of Great Britain from dominion over their inhabitants.

American Citizens did not assume King's rights of dominion in succession to him.

In seizing the King's territories and dominion, American Citizens did not assume and invest themselves with the rights of dominion which the King had held. They held that the rights of dominion, among others, which the King had held over rights of the soil and other natural rights of the inhabitants, were wrongful, and should not have been held as ruling rights. For themselves they repudiated them as ruling rights

American Citizens made their own ruling rights.

So there was no succession of ruling rights from the King of Great Britain to the self-created American Citizens. Instead, the new American Citizens made their ruling rights as original and new as themselves. They did adopt forms of the King's Government and made them forms of their own Governments of their new States. They did adopt rules of the Common Law of Great Britain, and made them rules of their own Common Law. But they did not

adopt the ruling rights of the King of Great Britain and make them their own ruling rights. The distinction is important and fundamental.

Ruling rights of American Citizens made to secure natural rights of inhabitants and perpetuity to their dominion.

Restoring to the inhabitants, including themselves, all the rights of the soil and other natural rights which they held were their unalienable original possession, incapable of being affected by rights of dominion, the ruling rights with which they invested themselves were, first, those which they deemed necessary to secure to the inhabitants, between themselves, the unaffected peaceable possession of all their natural rights, and second, such other ruling rights as they deemed necessary to secure to themselves as American Citizens the perpetuity of dominion over their independent States.

The essentials of the natural society of the inhabitants.

The natural society of inhabitants is not necessarily a society of inhabitants in a state of nature. It does not imply mud huts, stone hatchets, and fig-leaf clothing as accessories. The natural society of inhabitants can exist in possession of every material thing which the art and invention of civilized man has made. Its essentials are a common consent of the inhabitants in accepting and maintaining the natural law of possession as their law of right, together with a common desire for that attainable state of individual Happiness, the other name of which is Contentment.

The conception of the new American Citizens, that the natural basis of society among Men is their possession of unalienable natural rights, and that society among Men on that basis can be maintained against all destroying forces by

the self-imposed obligation of themselves to provide the necessary restraining force, are thus natural and reasonable conceptions. Their taking of dominion with these sublime ideas of what men may accomplish in peace together must forever be honored by American Citizens.

The four ruling rights of Citizens.

The four ruling rights of American Citizens are:

1. To make the forms of their governments.

2. To make the laws for the inhabitants of their dominion and for themselves.

3. To elect their officers and Courts.

4. To serve as officers to administer and execute the law and as Courts to decide questions of the law.

The obligations which impose themselves on Citizens in counterbalance of their ruling rights.

Every ruling right of Citizens imposes on them a corresponding duty, or, as it may be said, imposes on them an obligation counterbalancing it. The Citizens' duties or obligations are:

1. To maintain the form of their Governments, by means of their laws, against destruction by wrongful exercise of the ruling right.

2. To obey the laws themselves, and to exact obedience to them from all inhabitants not Citizens.

3. To support their officers in administration and execution of the law, and the Courts in their decisions of questions of the law.

4. To give military service to their several States against inhabitants who, by insurrection or rebellion, obstruct the execution of the law within their States.

5. To give military service to the Union of their States, the United States, in all cases necessary; first, to secure their combined dominion against change or destruction by States or subjects in armed revolt; second, to secure American Citizens and subjects in possession of their rights when residing in foreign states; and third, to secure their several States, Territories, dependencies and subject lands, and protected States within their extraterritorial dominion, against invasion and conquest by the armed forces of foreign states.

This last stated obligation is the counterbalancing obligation to the Citizens' right of dominion. The dominion the Citizens claim must be defended by their military force.

Possession of ruling rights and imposition of corresponding obligations.

All of the ruling rights and corresponding obligations of American Citizens are possessed equally and impose themselves equally on the Citizens. Subjects and aliens possess none of the ruling rights of Citizens except as the Citizens may grant them as privileges, and are under no imposition of the obligations except as they may have accepted corresponding ruling rights as privileges.

The right of residence of aliens in the American dominion is a privilege had by grant of the Citizens, and the counterbalancing obligation which it imposes on aliens is obedience to the law made by Citizens.

CHAPTER IX.

RULING RIGHT OF CITIZENS TO MAKE FORM OF GOVERNMENTS.

Citizens' ruling right cannot be used to change institution of natural society.

The ruling right of the Citizens to make their form of governments is not a ruling right to change the institution of natural society of the inhabitants of their dominion. They made their form of governments with intention to secure to the inhabitants their institution of natural society. Therefore the Citizens may not rightfully use any of the means of the form of governments made to secure the institution of natural society, to destroy it, and to put in its place any institution of artificial society.

Ruling right of Citizens to make Governments is limited by their compacts.

The ruling right of the Citizens to make their form of governments was unlimited in the beginning of the American People. They could then have made any form they elected to make. It is not an unlimited ruling right at the present time (1900-1920). That is to say, that the present ruling right of the Citizens to change the form of governments which they have, is not unlimited. It is expressly limited by the terms of the compacts between themselves made when they elected the form of governments they have.

Citizens in beginning made form

American Citizens exercised their ruling right to make the form of their governments when, at the time of their beginning, they made

of their governments republican with intention that it should be permanent form.

the form of the governments of their thirteen independent States republican. They undertook to make the republican form permanent when they later made the Union of the States under the Constitution.

> The United States shall guarantee to every State in this Union a republican form of government.

By force of this provision in the Constitution the thirteen original States gave up that part of their independence which invested their Citizens with the ruling right to change the form of their government. The new States, as they in turn became admitted on an equality with the older States, never had this independence. Their Citizens had to ask admission into the Union with a form of government which was republican, and that concluded them.

Political party of Citizens since 1900 attempting to destroy republican form of government and make socialistic form.

Nevertheless, since 1900, a constantly increasing number of Citizens in several of the States, have engaged in the attempt, by exercise of their ruling rights, without objection from the other Citizens, to substitute a socialistic form of governments for the republican form. This attempt is openly made, and with assurance as if it were an undefeasible ruling right. The Citizens engaged in it are organized into a political party to elect legislatures to destroy the republican form of government by their enactment of laws which accomplish it, and to elect officers to administer and enforce socialistic laws. At the present period (1919-1920) the cumulation of substitutions of laws made from time to time has made a partial change of the republican

form of governments of several States, and in one State—North Dakota—has so far changed it that a comparatively few more like changes will make its government wholly socialistic in form.

A cabal of Citizens since 1900 attempting to change republican form of governments to a new feudalistic form.

Also, since 1900, another constantly increasing number of Citizens, more or less in all the States, have engaged in the attempt by cabal, intrigue, and deception as to their real purpose, to destroy the republican form of governments and to make a new feudalistic form of governments in its place—a form which borrows something from the British Empire provincial form of government, and borrows something from the late Russian Imperial form of government. The Citizens engaged in it have not organized into a political party, but, making of themselves a disorganizing, destroying force in all political parties, they have intrigued their cabal into a possession of the offices of governments from which the weakened political parties have found themselves unable to evict them.

Officers of governments constitute the force of the cabal making form of government feudalistic in place of republican.

In possession of the offices of government, they accomplish the destruction of the republican form of the governments by themselves making feudalistic laws, which they administer as rules and regulations under their intentional misconstruction of right laws, or by procuring through false suggestion the making of feudalistic laws from legislatures. Like the socialist party, the feudalistic cabal is gradually destroying the republican form of our governments by cumulating substitutions of laws. At the present time (1919-1920) the feudalistic cabal has made a very great change in the republican form of

the government of the United States, the Federal Government, and considerable change in the republican forms of government of several States.

Industrial workers' unions, including Citizens and aliens, are attempting to change republican form of government to "soviet," the present (1919) Russian people government form.

Having its beginning later than the others (about 1905), a third attempt, continuing and growing in force since then, is being made to change the republican form of our governments. Citizens and aliens associated in industrial workers' unions are engaged in this attempt. They would call it, if successfully accomplished, an industrial revolution. In its essence it is an attempt to overturn the natural structure of society. It would, if successful, put brains and all that brains produce at the bottom, and put the industrial workers, sans brains, at the top. This attempt to destroy the republican form of our governments was imported with aliens. Some of the aliens have become Citizens by naturalization. Comparatively few native-born Citizens are engaged in it. It openly has alien leadership. Their present (1919-1920) purpose is to set up the new Russian, "soviet," form of government in place of the republican. To accomplish their purpose they have commenced a rebellion against the remainder of the Citizens with intention to conquer them into submission. The means they are employing are means employed in war—small arms, such as guns and revolvers, bombs, poison, fire, blockades of transport lines, and the stopping of supplies of food, water and fuel to cities and States.

Obligation on Citizens to maintain

The fact that the Citizens who are attempting to change the republican form of their governments, are repudiating and dishonoring their

republican forms of governments.

obligation to maintain that form of their governments, simply increases the obligation of the remaining Citizens to maintain it. The guarantee by the United States of a republican form of government to every State in the Union is not self-executing. Also, when, as is the fact, the United States do not maintain their own republican form of government against change. their guarantee to the States cannot be executed at all. Either way it comes to the remaining Citizens to discharge for all of them their obligation to maintain the republican form of their governments.

Guarantee of United States of republican form of government to every State.

Just as a stream can rise no higher than its source, so the guarantee of the United States of a republican form of government to every State cannot guarantee any more than the republican form of government which the United States have at the time. If their republican form of government is in part destroyed through substitutions from some other form of government, their guarantee to every State is a guarantee of a like partly destroyed republican form of government. This is plain. On the other hand, whenever the republican form of government of the United States is unimpaired, free from destroying parasitic grafts of other forms of government, their guarantee insures to every State its unimpaired republican form of government.

Remaining Citizens can maintain republican form of governments

The remaining Citizens by means of their ruling right can maintain the republican form of their governments against the attempt to destroy it and make a socialistic form of government in its place The right of a Citizen

by taking the right to vote from Citizens who would vote to destroy it.

to use his vote in government to destroy the form of the government can be rightfully challenged by the remaining Citizens, and they can take his right to vote away for that reason. A Citizen's allegiance cannot be qualified. The remaining Citizens can only accept the whole of it. A Citizen who votes to destroy the republican form of his governments, or who votes to destroy it in part, as effectually withdraws his allegiance from the remaining Citizens as he would by taking arms in rebellion against them. While the means would be different, the result would be the same. The Citizens who attempted by force of their arms to withdraw their allegiance in the Civil War (1681-1865), had their right to vote taken away by the remaining Citizens until they again gave their full allegiance. It is a good precedent still.

Legislatures can exclude members who would vote to destroy republican form of government.

A Citizen elected to a State legislature, or to Congress, who would become a member for the purpose of destroying the republican form of government by means of his law-making vote, may rightfully be refused a seat, and right to vote, by the remaining members. It would be plain to them that his intention of legislation would be in contravention, in opposition, to the oath of membership which he would have to take to become a member. By the same rule, the right of a Citizen to be an officer of a government can be challenged, if he would be taking the office with the intention of using its authority to detsroy the republican form of government of which he would be a part, and he can rightfully be kept out of the office, or removed from it, for that reason.

The Fourteenth Amendment of the Constitution is plain on rebellion disqualifying a Citizen from holding any office whatever.

> No person shall be a Senator or Representative in Congress, or Elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of to-thirds of each house, remove such disability.

Political parties can stop the attempt to change the republican form of government to the new feudal form.

Regenerated political parties are means by use of which at the present time (1920) the remaining Citizens can restore and maintain the republican form of their governments against the attempt of the cabal of Citizens to destroy it, and to make in its place the new feudal form of government. Regenerated political parties would take the offices of the governments away from the cabal which has held possession of them while the political parties were degenerating. The regenerated political parties taking the offices would make an end of the selling of privilege by officers of the governments, and would make an end to their filching of natural rights from the inhabitants. Regenerated political parties would make it easy for the Courts to see that the privileges which had been bought, were void, because they were made from filched natural rights, which they would restore to the inhabitants.

Remaining Citizens should use means of war to stop rebels who employ means of war to accomplish their rebellion.

Better and more means of war are the only means effectual to stop men who are employing means of war in rebellion against the remaining Citizens. It is wholly immaterial whether the rebellion has for its object the splitting of the dominion between the rebels and the remaining Citizens, as in 1861-1865, or has for its object the changing of the form of government by the rebels, as in the continuing rebellion, 1905-1920. The reason for the employment of means of war by the remaining Citizens is the same always. It is the only means which will stop the rebels. The attempt to employ means of the Law against rebels who are employing means of war helps the rebellion along by giving it time. Given time enough that way, the rebellion will become a revolution, and the once rebels, the first patriots of the new "soviet" state they make and rule.

Officers of the Law employing means of the Law to stop rebels, make more rebels than they stop.

The futility of the attempts being made (1919-1920) to stop the rebels by means of the Law has become self-evident. The officers of the Law admit that the number of the rebels increases in the face of these attempts. This is only astonishing to the officers. Being officers, they cannot comprehend that the ways they take in employing means of the Law are ways which in all times among all peoples have made more rebels. They arrest the preachers and professors—the chaplains of the rebels—kick out their soap boxes and other platforms from under their speaking, and break up with policemen's clubs the peaceable assemblies to hear them. They seize and indict their newspapers, printing presses, and editors. These ways always make

more rebels. The officers do not know any other ways. The right way, employing means of war, would let the preachers and professors talk and the editors print. It would let the speaking platforms stand and the printing presses run. In the ways of war, the preachers and professors, camp followers of rebellion for the loot, would be considered as live bait, and the speaking platforms and printing presses as traps, to collect and identify the rebels. In the ways of war those who were present at the meetings, and, trailing the carriers, those who received the newspapers, would be rebels worth the taking as prisoners of war.

Employing means of Law to stop rebels has the opposite effect of assisting their rebellion.

The employment by the remaining Citizens of means of war to subdue the rebels sets a time limit to the period of their rebellion—the more and better means of war so employed the briefer the time limit. That, rebels know. They do not want a time limit set for the period of their rebellion. To avoid it, the rebels always employ means of the law against the remaining Citizens. That way they extend the time limit of their rebellion. The marvel which stupefies intelligence is that the Law they rebel to destroy, listens and extends their time. Their means of Law, the remaining Citizens should understand, deal retail with rebels, while their means of war deal wholesale with rebels. Rebels must be dealt with wholesale—retail is too slow.

Instance of remaining Citizens employing wrong means against the rebels.

Those of the remaining Citizens of Kansas who, volunteering, dug coal for the State's inhabitants when the coal miners, in rebellion, omitted to dig it, took the wrong means—the means of the Law. The omission of the rebels

to dig coal was a means of war. It was the same in effect as would have been the effect of the rebels' act of seizure of all the coal from the inhabitants' homes. The remaining Citizens would have fought the act of seizure of the coal from their homes with arms—means of war. They should, for the same reason, have fought the omission to dig the coal with arms—means of war. Instead of volunteering to dig coal from the mines, these remaining Citizens should have volunteered to get coal from the miners. Then proceeding to the mines with superior force and arms they should have made prisoners of war of the rebels, and as prisoners of war made them dig coal under guard until the whole of the rebellion in all the States was similarly subdued and ended.

Instance of military officer employing wrong means against the rebels.

The Colonel of Kansas took the wrong means, the means of the Law, when three railroad switchmen, rebels together with the coal miners, refused to switch his train of soldiers and volunteer coal diggers en route to the coal mines. The omission, by refusal, of the switchmen to switch the train was the same in effect as would have been their act of blocking the track against the train. The omission was the employing of a means of war the same as the act of blockading would have been the employing of a means of war. The Colonel, himself a man of war, should have taken means of war against these three rebels—detailed a sergeant and file of soldiers to capture them, and as prisoners of war under guard make them switch his train. Once made prisoners of war, the Colonel should not have

paroled them, but taken them along with his train to switch it when necessary, and when not switching to dig coal.

Instance of State Governors taking the wrong means against the rebels.

The State Governors took the wrong means—means of publicity—when they seized the coal mines in their States from which the coal miners—rebels—omitted to dig coal. The Governors should have taken means of war and seized the coal miners instead of the mines. The mines could not get away, and the coal miners could. Seizing the coal mines was gloriously futile—but surely safe. Seizing the coal miners would have been practically effective—but might be unsafe—for the Governors. The Governors of States in the present continuing period of rebellion have not all of them the stiffness of the Governors of the remaining States during the first rebellion, 1861-1865.

Instance of Professor-Colonel advising The Legion wrongly as to means it should take to subdue the rebels.

In November, 1919, at Centralia, State of Washington, four soldiers of The Legion—Our Legion—were killed, and many more of them wounded, by gun fire of rebels in a surprise attack upon The Legion. The action was apparently a try-out affair by the rebels to find out how strong The Legion would fight them. Its historic parallel is the attack of the rebels in 1861 on Fort Sumter.

The Professor-Colonel, or Colonel-Professor, of California, speaking to The Legion on the battle death of their four, said that The Legion ought not to fight fire with fire, by which he meant that The Legion should not use its means of war against the rebels to subdue their rebellion, but that it should take means of the Law against the persons who fired the guns that

shot the shots that killed the four of The Legion. The Professor was wholly wrong with his counsel. The Colonel should rightly have ordered The Legion to use its means of war to the limit, and without limit in case The Legion wanted it that way.

The Legion and the rebellion to change the form of our governments.

The Legion is the war means of the remaining Citizens ready made at hand to stop the rebellion. The common agreement of the remaining Citizens that the rebels shall not be permitted to employ means of the Law to stop The Legion, will make The Legion effective. The reason for this common consent of the remaining Citizens may not be questioned by the rebels.

Distinction between rebellion against particular laws, and rebellion against the Law.

There is a distinction between a rebellion of Citizens against the enforcement of particular laws, and a rebellion, such as the present (1905-1919) rebellion against the Law. The Citizens who engage in the first do not lose any right of the Law by their rebellion. Those who engage in the second put themselves altogether outside of the Law when they begin to employ means of war. In essence the rebels, by employing means of war, alienate themselves from the dominion of the Law, and then wage war to destroy it. Aliens waging war from the outside to destroy the dominion cannot have any right of the Law of the dominion. Aliens, whether natural or made by self-alienation, who wage war from the inside to destroy the dominion, should not, because of that unintentional circumstance, be considered as having a right of the Law of the dominion, which the same aliens cannot have if they should wage war from the outside.

Rebellion is inherent right of men who are subjects.

Rebellion to make their own dominion by conquest of land, or to change the form of their government, or to change the laws in their government, is an inherent right of subjects, whether they are subjects of a King or subjects of Citizens. The condition of subjects is that they are subjects because compelled by superior force of arms. They have a right to question that superiority by their own force of arms whenever they elect to do so. Their inherent right arises from the fact that they are, as subjects, deprived of some of their natural right to have Liberty by the King or Citizens ruling them.

CHAPTER X.

THE RULING RIGHT TO MAKE THE LAWS.

Citizens are limited in ruling right of making the laws.

The ruling right of Citizens to make the laws for the inhabitants and themselves, is a right limited both by the institution of natural society of the inhabitants for which they are made, and by the republican form of their governments, which puts limitations on the making of laws for the Citizens.

The Law of natural rights cannot be rightfully changed by the Citizens.

The institution of natural society of the inhabitants has its natural Law of right. The natural Law of right is the Law of the natural rights. The laws of possession are part of the Law of the natural rights. The Law of the natural rights may not rightfully be changed by the Citizens. The laws of possession may not be changed by the Citizens. The Law of the natural rights is fundamental Law of the American People.

The Law of their ruling rights cannot be changed by the Citizens.

The republican form of governments which the American People made in their beginning is in its essence a perpetual compact between the Citizens:

First, that they shall make laws for themselves within the limitation that the right of the privileges of dominion which they may permit to themselves shall be equal to every one of themselves.

Second, that the duties or obligations of dominion which the laws they make, may require of themselves, shall be required equally of every one of themselves.

Third, that they shall take no privileges of dominion and be required to assume no obligations of dominion except as they shall be declared by their laws.

The republican form of their governments is fundamental Law of the ruling rights of the Citizens. They cannot rightfully change this fundamental Law, which is a limitation on the constitutions which they may make for their States, and a limitation on laws made by them under their constitutions.

Citizens in making laws take on obligations of authority as rulers of the dominion.

Between the Citizens themselves all the laws they make are not rules of conduct prescribed by authority, as are laws by their common definition. They are rules of conduct made by authority for authority. The Citizens are all the authority. They are free and equal in all respects of it. It follows, then, that in making laws every Citizen takes on by force of the laws obligations of dominion equally in all respects with his fellows. The Citizens are a self-governing body of Men. They do not consent to be governed, because there are none who have exclusive right of government to be given consent. They self-govern by compact or contract, by free agreement on the laws which declare the rules of their self-government.

Citizens in making laws

Between the Citizens and their subjects the laws the Citizens make are rules of conduct

for subjects do so by force of authority over them.

prescribed by them, the authority, for the subjects. The Citizens govern their subjects without their free consent. Subjects have right of the law, but not equal right with the Citizens. They may question the law as it relates to them particularly, but they cannot question the law which makes them subjects, or holds them subjects, of the Citizens. The Citizens may, and do, grant subjects in lands which they inhabit as natives of the soil without dominion to make States of it, the ruling right to make certain of the laws for these lands subject to their approval, and approving them for the subjects take on in these lands the obligation of them the same as the subjects.

Citizens violate their fundamental Law in holding native-born inhabitants of their dominion as subjects.

Subjects do not have full right of the Law of the natural rights. They are deprived by the Citizens of part of their natural right to Liberty and of part of their natural right to the pursuit of Happiness. Per contra, it is claimed for the Citizens that they give their subjects better security for their natural right to Life, and insure them more of the things which make life supportable for Citizens. This is questionable. Even if so, it is not reason for the Citizens' violation of their fundamental Law. Military necessity, the security of the dominion from conquest, may require that the Citizens hold the lands which their subjects inhabit. The Citizens finally determine that necessity. But, if holding the land gives an addition of military power to the Citizens' dominion, their holding the native inhabitants subjects, that is in a condition of inferiority to themselves, introduces elements which tend to weaken the dominion.

Subjects an element of weakness in a dominion of Citizens.

Not only are subjects in a dominion of Citizens an element making for weakness of the dominion, but the Citizens weaken their dominion when they violate their fundamental Law. It does not seem that the profit to the Citizens from holding the land can counterbalance their loss through holding the inhabitants as subjects. The taking of lands into the dominions and holding of their inhabitants as subjects was the first notable violation by the Citizens of their fundamental Law of the natural rights. It may be only coincidence without connection, that the period of the American People's Law, which may be described as the period of violations of their fundamental Law, begins with this particular violation in 1898-1900.

Citizens in making laws for alien inhabitants do so by force of right of dominion.

Between the Citizens and aliens who are inhabitants, the laws the Citizens make are rules of conduct prescribed by them, the authority, for the aliens. Aliens have right of all of the Law of the natural rights, in respect of which they have more right than subjects. They have right of as much of the Citizens' Law of their dominion as the Citizen may have covenanted in treaties of their States with the aliens' foreign states severally, and as much more as they grant directly by their States' laws or permit by their sufferance. Aliens, as inhabitants, may not question any law which the Citizens make.

Aliens who are inhabitants have no right to make any laws whatever, not even rules, for their own conduct between themselves. Aliens, by sufferance of Citizens, have been permitted to make so-called industrial laws regulating the

terms and conditions of their engagement in industry, with, and without, association with Citizens in the industry.

Two foreign states make laws for American Citizens in derogation of their dominion.

Two alien states in derogation of the dominion of the American People, which derogation the American People accept as their condition from belief in their comparative military weakness, have made laws for American Citizens and enforce them. Japan has made a law that all persons of the Japanese race born in the American dominion are born and remain subjects of the Emperor of Japan. Great Britain has made laws regulating the taking of some of the wild game by the inhabitants in the American States, and has made the laws which run on American ships on the high seas—the seas outside of three miles from American land. For instance, in 1919 it is proclaimed, in substance, that the Eighteenth Amendment to the Constitution is without force on American ships at sea outside three miles from American land.

First fashion of Citizens in making laws was to first make constitutions directly and under them to make laws by elected representatives.

The republican form of governments of the American People does not require of them any particular way or mode of making laws within the limitations of their fundamental Law. The first fashion of the Citizens in such law making was to make directly constitutions for their respective States. The constitutions, besides the basic framework of the Government organization, declare the limitations of laws which would be made by the Citizens representatively under them. This fashion was simple, and found to work well. Constitutions were drafted in so-called Constitutional Conventions, the Citizens electing the members. When the Constitutional

Conventions finished the drafts they were submitted for acceptance or rejection to a vote of the Citizens.

Mode of sifting void enactments from laws made by legislatures.

If, as it has happened, the legislature made a law which was outside of the limitations made by the constitution empowering the legislature, the law was null and void. It was, and is still, the function of Courts to finally find that a law was void because it was outside of, that is to say in violation of, the limitations on the power of the legislature made in the constitution, and it is their law fashion of speech to say of such a void law that it is unconstitutional. The same form of speech, that the law is unconstitutional, has been the Courts' law fashion in finding a law null and void when it was made outside of the limitation on law making imposed on Citizens by the fundamental Law—the Law of the natural rights and the republican form of our governments. This mode of sifting out null and void enactments of legislatures from the laws they make is simple when the force of the fundamental Law, much of it unwritten, is understood as underlying the constitutions.

New fashion which would abolish limitations of constitutions on law making power of legislatures.

This first fashion of the Citizens in exercising their ruling right to make the laws continued without change, and even without attempt to change, beyond the first century of the dominion of the American People. Since about 1900, though, attempts are being made to establish new fashions in the Citizens' law making. One new fashion proposed by quite a large number of Citizens in several of the States, would invert the first fashion. Instead of the constitution declaring limitations on the law-making power

of legislatures, the new fashion would limit the constitutions to declaring the basic framework of the Government organizations. This, the proponents of the new fashion would accomplish by amendments to the constitutions providing that the Courts are prohibited from finding unconstitutional any law made by the legislature.

Real purpose of new fashion of law making is to enable legislatures to destroy fundamental Law of the People.

The new fashion is not wrong because it is new and seems odd. If the American People want to make their laws, statutes as distinguished from their fundamental Law, top-side-bottom, as a Chinaman would describe it in Pidgin-English, they have the ruling right to make them that way. The only requirement is that whether the Citizens elect that their laws made representatively shall be superior to their laws made directly, or elect the opposite way, the laws made must be within the limitations of their fundamental Law.

But this is the requirement which the would-be makers of this new fashion in law making seek to avoid by their amendments to constitutions. They want their legislatures free to make laws (statutes) which destroy fundamental Law. To make them free, they would have the constitutions prohibit the Courts from finding enactments of the legislatures null and void. So, though the new fashion may not be said to be wrong because it is a different fashion from the first fashion, the purpose of it is to enable the making of wrong laws.

A fashion of law making directly by the Citizens.

The new fashion of law making adopted in several States following what Citizens would describe as a "drive," if they should stop long enough from being driven to think out what it

was, is for the Citizens to make laws (statutes) directly as well as representatively by their legislatures. The Citizens, besides continuing their elected representative legislature to make laws, have made of themselves the equivalent of a second legislature of a single house with one rule, only, of procedure—the previous question. The trimming in this new fashion is done to the legislatures, the Citizens reserving power by their election to unmake laws (statutes) after the legislature has made them, and not giving the legislature power to unmake the laws after the Citizens have made them directly. In some States the Citizens put statutes, which they make directly, into the constitution as amendments so as to trim the Courts with the new fashion as well as the legislatures. The Citizens who made the "drive" for this new fashion of law making call it the Initiative and Referendum. The same Citizens who "drive" this new fashion are those who are attempting to "hog-tie" the remainder of the Citizens with the new fashion of law making, which would prohibit the Courts from finding laws (statutes) made by the legislatures null and void.

Making of wrong laws made easy by new fashion.

This present largely adopted new fashion of law making is not wrong as a fashion. It is complicated, and works very badly, but the Citizens have the ruling right to make their laws in a fashion which is complicated and works badly so long as they like the fashion. It is a bad fashion, because it makes easy the making of wrong laws.

United States Constitutions

The constitutions of the several States made in the older and still most generally observed

are instruments embracing compact of firm alliance of the States, provision for new States, division of dominion and creation of a new State, and constitution for new State.

fashion of law making, are instruments which the People of each State of the several, make originally and directly by force of having the whole of the right of the dominion of the land. This does not mean that the people of the State have the whole of the actual dominion of the land when they make their constitution. Only the Peoples of the original Thirteen States and of the State of Texas, and of the Territory of Hawaii, not yet a State, had, each of them, the whole of the actual dominion in their lands, as well as the whole of the right of the dominion. The Peoples of the new States, excepting Texas, never had the whole of the actual dominion in any of their lands.

Four original instruments of constitutions of United States.

The Constitutions of the United States are instruments of a different type from the constitutions of the several States. There are four instruments of Constitution or Constitutions: the Articles of Confederation of 1778, the Ordinance of 1784, the Ordinance of 1787, and the Constitution of 1789. It has been generally, but in error, assumed that there is only one instrument, the Constitution of 1789. This is the instrument referred to when the term Constitution of the United States is used. Wherever in the following pages the term Constitutions of the United States is used, it means the four instruments together.

Constitutions of United States made by the States as such.

The Constitutions of the United States were made and are continued, by the States as dominions, not by the Peoples of the States as Citizens of the United States, though they are so named and known.

Constitutions contain the covenants of alliance and Union of the States.

These Constitutions contain the covenants of compact of firm alliance or Union made by and between the several States, each of the original Thirteen States, Texas and Hawaii joining in the alliance as a whole and independent actual dominion, and the other States with the right of the whole and independent dominion.

Constitutions provide for new States and directly erect the State of the United States.

They also contain the covenants of compact which, besides providing for the self-creation and admission to their Union of new States in all respects like themselves, directly create for themselves, by division of their dominion, a new State with less than the whole right of dominion and less than the whole of the actual dominion of the land. Every State of the original Thirteen when they created the State of the United States, and Texas on its admission, severed from itself a like part of its actual dominion, and every State—the original Thirteen and the new—a like part of its right of dominion, and gave it to the United States.

Constitutions institute the government of the United States.

They also contain provisions which make the institution of government for the United States and the limitations on their law-making power. It is in these respects, only, that there is identity of type with the constitutions of the several States.

Amendments to the Constitutions of the United States.

It follows, then, that an amendment of the Constitutions of the United States may be an alteration of the covenants of the compact of alliance or Union of the States, or a change in the modes of self-creation and admission of new States, or additions to, or subtractions from, the dominion of the United States, or a change in

either the institution of government of the United States or the limitations of their law-making power.

Different provisions for making changes in Constitutions.

The Articles of Confederation—the Ordinance of 1784 and the Ordinance of 1787—all provide for the alteration of their covenants in the same way—the confirmation of the alteration by all of the States. The Constitution of 1789 provides for amendment of its provisions by ratification of the amendment by three-fourths of the States.

Changes in the covenants of the Union of the States and in the covenants dividing the State's dominion with the United States require ratification of all of the States.

The Articles of Confederation contain most of the covenants of the firm alliance or Union of the States, and many of the covenants of division of their several dominions with the United States. The Constitution of 1789 amended, altered some, but not all of the original covenants. It did not amend the provision for the alteration of its provisions. In other words, the provision in the Constitution of 1789 for the amendment of its provisions by three-fourths of the States did not substitute itself for the provision in the Articles of Confederation for their alteration only by all the States. Both provisions are effective, but not as to the same articles or covenants. The reasons are plain. States join in alliances or Unions in all respects free. States make divisions of their dominions in all respects free. Both conditions are inherent in the nature of States of free Peoples. Alterations of the covenants of alliance or Union, and of divisions of dominion, require the consent or ratification of all the States to the alteration of covenant the same as to the original covenants. On the other hand, amendments to the Constitution which do not change the covenants of the

alliance or Union of the States, or change the dominion of the United States in the territories of the States, can be made by the ratification of three-fourths of the States, provided, always, that the amendments are within the limitations of the fundamental Law of the American People.

All the States must join in making amendment to elect President by direct vote of Citizens.

For instance, it is a covenant of the firm alliance of the States, that every State votes as a State for President, one vote for each of its Representatives. Only by all of the States joining in the amendment of the Constitutions may this be changed for a covenant that the President shall be elected by the majority vote of the Citizens of the United States voting one vote each. But three-fourths of the States may amend the Constitution to give every State three Senators in place of two.

It is a covenant of the firm alliance of the States that it is perpetual. Three-fourths of the States may not change this covenant by their amendment of the Constitution. All of the States must join in the amendment to change this covenant.

All the States must join in making the prohibition amendment.

The limit of dominion of commerce defined in the Constitution for the United States is the regulation, subject to certain prohibitions of regulation, of commerce with foreign nations, and among the several States, and with the Indian tribes. The States severed this much of their dominion from the whole by the Constitution, but they did not sever from themselves any of their dominion over their domestic commerce, the commerce of the inhabitants of their states, except Indians, among themselves. The

Tenth Amendment was intended to make plain the limits of the severed dominions which were made the dominion of the United States.

> The powers not delegated to the United States by the constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

The Eighteenth Amendment would change the theretofore limit of dominion of the United States in respect to commerce by enlarging it to include the commerce of the inhabitants of the States within them, intrastate commerce. This change of the limit of the dominion of the United States may only be made by all the States joining in the amendment of the constitution.

Three-fourths of States make the amendment for direct election of Senators.

The Seventeenth Amendment was made by three-fourths of the States ratifying. It is an amendment altering the law erecting the government of the United States by changing the mode of electing Senators. It does not alter the grants of dominion previously made by the States, nor affect in any way their covenants of Union of the States.

Form of laws during early period was impersonal and self-executing.

The form of the laws made by the Citizens during the period of their first fashion of law making was characteristically impersonal and self-executing. They were very infrequently made "to get" a particular person, or group, or class of persons. The few so made were, almost without exception, disapproved by the majority of Citizens in elections, or by the Courts. The alien and sedition laws made by Congress in 1798 were disapproved by a majority of the

Citizens at the following elections, and in consequence repealed. A law made during the period of the Civil War "to get" the home estate of a Confederate General which was within the Union lines, by providing that the taxes must be paid by the owner in person, was declared unconstitutional by the Courts, and the estate restored to the General's heirs.

After the legislature made the law the People made the decision of whether or not it went as law.

The self-executing character of the laws (statutes) gave the Citizens a practically direct and effective means of getting rid of laws made by their legislatures which they did not want. The execution of these laws had to be initiated by the Citizens interested before the officers charged with administering the law acted. If the Citizens did not want a particular law, they did not initiate any proceeding under it. No one was harmed. The law became what was described as a "dead letter." Sometimes a dead-letter law was resurrected by some Citizen, to the surprise and disgust of the remaining Citizens, who would then, grumbling at the trouble, repeal it through the legislature.

Their self-executing laws made American People seem self-governing to themselves.

The self-executing, impersonal character of the laws made them fit easily a free People. Someone had to be harmed before the law was thought of as a recourse. It was this character of their laws which made the American People seem to themselves during this early period as self-governing. If a particular law made by one of their legislatures suited them, they observed it in self-government. If it did not suit them, they made it a dead letter by forgetting it, also in self-government. If it happened that the Citizens wanted a law more immediately than a

legislature could make it, they made it themselves directly, and it was right law, and used in self-government by free Men.

Horse-thief Lynch Law of Citizens is law made by right.

The law made directly by the Citizens to fit their want of a law to summarily stop horse stealing, under which the Citizens nearest at hand would arrest the horse-thief, try him, and hang him or otherwise punish him, if found guilty, is law made by right by the Citizens in pursuit of their self-government. Though unwritten, it was so widely published or proclaimed that everyone knew it, and agreed to it as the law—the horse-thieves as well as the Citizens.

"Unwritten" law of Citizens is law made by right.

The law known and referred to as the "Unwritten Law," is another instance of the Citizens by right making a law which they want directly, and applying it when as juries they become Courts charged with finding and applying the law. Both these laws are within the limitations of the fundamental law, and that is the true test of a law made by the Citizens, and not the ashion of the making.

New fashion laws made personal and for operation by officers.

The laws made in the new fashion are characteristically personal, and in place of being self-executing, the fashion is for each law to have an official executioner. This officer has other titles less suggestive, but he is no more and no less than that—official executioner of the law.

New fashion laws made "to get" particular persons and "to let" others

The new fashion law is made "to get" particular persons, or particular groups or classes of persons, and "to let" other particular persons, or groups or classes of persons pass free from the operation of the law by way of exceptions

pass free from their operation.

made in it. The purpose of the official executioner is, first, to exercise the discretion of the law "to let" pass free of operation from the law those persons, or groups or classes of persons, which his discretion finds within the exceptions, and second, "to get" the particular persons the law was made "to get."

Discretion given to officers in execution under new fashion laws.

The discretion this new fashion law gives each official executioner is god-like. It makes of him more than an ordinary executioner of law, for example more than a district attorney, and properly classifies him by type as a Lord High Executioner. The state of Tipitu has one Lord High Executioner for all of its laws. The American States, whose Citizens make laws in the new fashion, have a Lord High Executioner for every new fashion law. There are so many of them that they constitute a Society like an ancient Scottish Clan or a modern Chinatown Tong. The Lord High Executioner of Tipitu has extenuating circumstances. One may, on occasion, insult him. He says so. There are no extenuating circumstances to Lord High Executioners of new fashion laws in American States. One may not insult one. They say so.

Instance of exercise of official executioner's discretion "to get" a particular person and "to let" others pass through the law.

The State of California has, one of many, a new-fashion law known to the Tong as the "Blue-Sky" law, which is provided with a Lord High Executioner whose Blue-Sky title of office is Commissioner of Corporations. The law is made "to get" particular persons who, in California, engage in making and selling shares of stock of corporations without having first bought a "permit" from the Commissioner of Corporations. The Commissioner has discretion to sell

or not to sell a permit, and discretion to fix the price in money and terms when he sells. The Courts, by express provisions in the law, may not review any order the Commissioner makes, except in ascertainment of his good faith in making it.

In pursuance of his execution of the law, the Commissioner has recently—in 1919—made an order in the case of a corporation which undertook to sell its shares without his permit, directing a district attorney to proceed to criminally prosecute under the law—which makes the offense a felony, with a maximum of five years in jail and ten thousand dollars fine, or both, on conviction—a named person who was trustee to sell the shares, and the publishers of several newspapers which advertised the sale, and in the order specified that the newspapers were to be treated leniently, and that the named person was the party the Commissioner of Corporations was after.

Citizens cannot make dead letter of a new fashion law.

The vermiform appendix of an official executioner to every law made in the new fashion has deprived the Citizens of their old-fashion means of making a dead letter of a law they do not want. The initiative of using the new-fashion law is not with the Citizens, but with the official executioner. He uses the initiative "to get" persons on whom to execute by the law, and as an executioner who did not execute would soon himself be executed from his office, he is certain to use his law. So, in place of ignoring a new-fashion law and making it a dead letter, the Citizens, if they do not want the

law, must use the Referendum or Initiative to become rid of it and of the vermiform appendix to it.

Referendum and Initiative are bad law means of unmaking bad law.

Laws made "to get" too many persons may be stopped by a Referendum or repealed by an Initiative. The outcry of a large number of persons against being gotten by the official executioner of the law attracts the attention of the Citizens, and if it arouses their sympathy as well, the Referendum or Initiative may stop or repeal the law. But in the case of laws made "to get" a comparatively small number of persons each, the Citizens do not become attentive to the small noise and sympathetic in sufficient numbers to stop the law through the Referendum or Initiative. This shows the badness of the Referendum and Initiative as a means of unmaking bad laws. They are not always a means. It depends a great deal on whether the law is made "to get" a large or small number of persons.

Under new fashion laws the official executioners rule the Citizens—as in Tipitu, but not so brightly.

Citizens are not self-governing under the new-fashion laws. The new-fashion laws split them up into classes of different degrees of potential malefaction (malefaction in new-fashion law definition), and every class is governed (ruled) by the official executioner of the class. In case of a very large class of Citizens with correspondingly great potential malefaction, which is to say with great potential resistance and indisposition to being "gotten" by the official executioner, the official executioner does the ruling of the class with an army.

Official Executioner of a new fashion law proposes to rule the Citizens with his army.

For instance, to enforce, in 1920 and after, a certain new-fashion law made "to get" a class of very great potential malefaction, perhaps the majority of the men, the official executioner announces that he has organized a mobile force of thirty thousand deputies (sub-executioners) to move from point to point in the United States wherever the class of anti-prohibition potential malefaction seems likely to be actively resistant. Also, that he proposes to add to this regular force, which may be described as Federal "shock troops," many times their number of local or State executioners' deputies and volunteers. Thirty thousand is the number of men of all arms in a modern army division at war strength. The numbers which every State is expected to add would make several modern army corps. All of them together would be a great army. The Citizens will not be self-governing with this army of the Lord High Executioner massed against every person of them in turn. The Lord High Executioner, with his army, will rule the Citizens.

Loss of law making sense by the Citizens.

Their making of new-fashion laws has largely destroyed the law-making sense of the Citizens through bringing about its disuse. The beginning of the disuse of the law-making sense of the Citizens was made in the early 1900's, or late 1890's, when, through false suggestion of officers, they first came to believe that an officer, a mere man of themselves tarred with the same brush, would be a maker of better laws than the political party of men, of whom he was one, who had elected him to be an officer. The

Citizens becoming cozened out of belief in themselves collectively as political parties, through believing this false suggestion, ceased depending collectively on their own sense of the right in their government, and sans sense commenced depending individually on suggestion either from their officers, or from those of their prophets who wanted to be officers, for the making of the laws.

Citizens of the present—1916-1920—period not using their collective law-making sense; in its place accept dictation of their laws from officers and prophets.

Naturally, the disuse of their own law-making sense has been as progressive with the passing years since 1900 as the acceptance of suggestion of officers which took its place in the beginning, and of dictation of officers which, since 1911, has taken the place of suggestion by them. Very many, perhaps most, of the present fourth of the Citizens who were voters before 1900, either have forgotten that they ever had, or have become convinced that they never had, any collective law-making sense as political parties responsible for the making of the laws and for the conduct of the government under them. The remaining three-quarters of the present Citizens having become voters since 1900, have been accustomed from their beginning to have officers or prophets dictate to them the laws to be made, so naturally have no understanding of a Citizens' collective law-making sense, which they have never known, though it was their birthright to have it.

Legislatures in present—1916-1919—period act as registrars of

Citizens, representative of their fellows as legislatures, do not in the present—1916-1919—period, collectivetly initiate laws. Instead, they act as registrars, and register, through the form

laws made by officers.

of legislation, the laws which officers dictate and wish registered by legislation. Many of these dictated laws are in general terms assignments to officers of the Citizens' right to make the laws.

President's officers dictate laws for Congress to enact.

For instance, if a Citizen Member of either House of Congress (in period 1916-1919) introduces a Bill for enactment into a law without its having come to him from the President's officer whose duty it will be to execute the law, the Bill, before Congress acts on it, is sent to the officer to get an expression of his wants with respect to it. It has come to be expected that the officer will send back his draft of a Bill in place of the Citizen Member Bill, and that Congress will enact the Bill drafted by the officer. State Legislatures in similar fashion ask and take the dictation of the Governor of the State as to laws which they enact.

Proposals to abolish legislatures in part or altogether and to have appointed officers to make the laws.

So much a matter of accepted course has come to be the dictation of laws by the interested officer that it has been seriously proposed and considered to abolish Citizens' service as members of legislatures, either in part or altogether. It is proposed for Congress that the Cabinet Secretaries of the President have seats in one or the other House. It has been proposed by some of the Citizens of the State of California, where, since 1912, their collective law-making sense has been as extinct as the dodo, to abolish the State Legislature altogether, and to vest the law-making right in a Board of Officers appointive by the Governor, the Board to remain in continuous session making laws. This would very likely have been done, only that it was

found an unnecessary refinement of fashion in "hog-tying" California. The Tong of Lord High Executioners of the new-fashion laws was found to have "hog-tied" California without any refinement whatever.

Citizens divesting themselves of their law-making right divest themselves of dominion.

The Citizens cannot divest themselves of their ruling right to make the laws without destroying, or surrendering, which is the same in effect, their dominion. The exercise of the right to make the laws is of the essence of dominion. In the end those men who make the laws for the land become the men who rule the land. For nearly twenty years up to the present—1920—the Citizens, making one or another excuse to themselves, have been progressively divesting themselves of more and more of their ruling right to make the laws. The actual making of the laws has been taken, always progressively, part by officers, President's officers and State Governors, and part by prophets, whom, because of their flattering auguries spoken from rostrums and published in newspapers, the People would make officers in the places of present officers. It is visible now to the Citizens who look, that the present officers who make the laws rule them, and that when the prophets come to make more laws than the present officers, they will thrust them out and become in turn the successor officers who will rule them.

Citizens still able to retake their law-making right from the officers and the prophets.

The Citizens are still able, if they will, to retake all of their right to make the laws of which they have heretofore divested themselves. The way of the retaking is the opposite of the way in which they have made their divestment. They must refuse to excuse themselves from

taking the trouble to make the laws. For instance, they must refuse to excuse themselves because their present legislatures are ineffective because constituted of ineffectives of themselves. They must accept, take, the trouble—it is real trouble—to make legislatures effective by constituting them from their effectives. They must refuse to accept dictation of laws from officers. They must stone the prophets to be rid of them, for they are false prophets always, and will run like jackrabbits from the stoning. They must ruthlessly make fallen prophets out of the present officers, who have dictated the laws to be made, or who, as Dictators, have made the laws. This will be real trouble, because many of the Citizens have mistaken the pose of the officers for the infallibility of a god transcended from Olympus expressly to rule the American People's dominion. They must repeal by the legislatures, or by themselves make dead letters, the new-fashion laws. They must clean the offices of States of the Tongs of Lord High Executioners of laws and of the parasite office-holders they have bred like flies.

The present Citizens must get the collective law-making sense of the first Citizens if they would hold again the dominion.

All of these things of the right way mean that the present Citizens must get themselves the law-making sense which they have been misled to think it was a Citizen's virtue to suppress. They must bring themselves together to believe unreservedly in the potency of their collective law-making sense as political parties. The Citizens will have to take the trouble—it will be a great deal of trouble to every Citizen, since he cannot deputize it, or delegate it, or hire it out, but must take it in his own person—to collect

their law-making sense into political parties wholly free of officers who dictate the law and of prophets who suggest themselves as the law. It is not an easy way. The Citizens have been taking the easy way for twenty years without even looking backward. It is a hard way. It is the only way, if the present Citizens would themselves hold again the dominion which the first American Citizens made in the hard way by their arms in war.

CHAPTER XI.

RULING RIGHT OF CITIZENS TO ELECT OFFICERS AND COURTS.

Ruling right of Citizens to elect officers and Courts less highly prized since 1900.

The ruling right of the Citizens to elect their officers and Courts was highly and generally prized by them from the beginning of their dominion until about 1900. Since 1900 this ruling right has been less highly regarded generally, and each passing year has added to the number of Citizens who do not prize it at all. This is very conclusively shown by the increasing number of Citizens who do not vote for officers and Courts at the elections. The percentage ratio of voters to Citizens is constantly decreasing.

Elections since 1900 offer fewer prizes of office to Citizens than before.

The reason the Citizens generally do not now (1900-1919) prize their ruling right to elect their officers and Courts is because the exercise of the ruling right by voting in elections now, literally, offers no prizes to them.

From the beginning of their dominion until about 1900, voting at elections did offer them prizes to be won or missed. During this period all of the officers and all of the Courts were either directly or indirectly elected by the voting of the Citizens. Those not directly elected were

elected indirectly through the election of the chief officers and Courts, who, after their election, appointed their subordinate officers. These appointed subordinate officers were the prizes for Citizens voting.

Citizens had personal interest in voting because it might get places for friends.

It was a Citizen very poor in friends who did not have at least one friend who hoped and expected, through the direct election of some chief officer, to become a subordinate officer by his selection and appointment. The hope and expectation of subordinate officer appointments for friends widened the interest of Citizens in the election of chief officers, and gave them a reason in personal benefit for voting. Every Citizen in this way came to see a prize for a friend, if not for himself, in voting at elections, and so prized and used his right to vote.

Citizens' interest in electing officers and Courts in proportion to number of appointments they could make.

That places to be had for their friends through appointment by a directly elected officer, were the prizes which made the Citizens prize their ruling right to elect their officers and Courts, is to be seen in the fact that the Citizens were generally interested in the election of officers and Courts in proportion to the number of appointments of subordinates they could make if elected. There was always more interest taken by the Citizens in the election of a Sheriff than in the election of the Court, of which he was an officer. The Sheriff could make more appointments to subordinate offices than the Court. This comparative interest in the election of different officers and Courts shows plainly in the total votes cast for the offices at elections. The totals of the votes for the office are largest where the

officer or Court has the most appointments of subordinates, and smallest where the officer has the fewest appointments of subordinates.

Citizens adopt Chinese method of selecting officers, vest the offices permanently in them and call it "Civil Service."

Several years before 1900, some Citizens whose friends had probably been uniformly unsuccessful in obtaining the prizes of appointments as subordinate officers through elections of chief officers, declared that subordinate officers so appointed were bound to give poor service, and were costly to the taxpayers, because every time a new chief officer was elected he appointed new subordinates. These Citizens proposed, instead, that the appointment of subordinate officers should be taken away from the chiefs and be given to permanent independent commissions, appointed by some other chief executive than the one elected to the particular office. The commissions were to award the prizes of appointments by their conception of superior fitness as demonstrated in competitive scholastic examinations which they would give applicants for the appointments. The appointments when so made were to be permanent instead of at the pleasure of the chief officer. The Chinese have employed this method of selection for appointment of all their officers for many centuries, so that the plan the American People adopted was not new. The Citizens, however, have given it a new name, calling it "Civil Service."

Citizens accepting Civil Service have progressively abandoned ruling right

The Citizens have progressively accepted this Civil Service plan for the appointment of subordinate officers who would serve under elected chief officers, and since 1900 nearly all subordinate officers have come under this mode of appointment. The consequence is that chief

to elect officers and Courts.

officers still voted for, not having the appointment of their subordinate officers, do not interest the Citizens generally, so they are progressively more and more ceasing to vote for them at elections, and in many cases abolishing their election altogether, making them appointive by remaining officers instead.

Civil Service is not good official service.

Civil Service, to employ the term by which it is commonly described, is not good official service. It is not as good official service as was had when elected chief officers appointed their subordinate officers, and it is very much more costly to the taxpayers, to the inhabitants, and to the Citizens.

Civil Service is more costly service than same service obtained in former way through elections.

That Civil Service is very much more costly service to the taxpayers, inhabitants and Citizens, is very conclusively shown by the experience of the City of San Francisco, where the two kinds of service were in operation alongside of each other during the period 1900-1914. For the several offices in which the elected chiefs appointed their own subordinate officers, the total annual cost of operation increased between 1900 and 1914 less than 40 per cent, which was at a less rate than the increase of population of the city during this period. For the remaining offices in which the subordinate officers were appointed through Civil Service, the total annual cost of operation increased between 1900 and 1914 more than 250 per cent, which was at a rate five times greater than the rate of increase of the city population.

No person has a personal interest in

That Civil Service officers give good service is a supposition, not a fact. It is supposed to be good service because, compared with the service

criticizing Civil Service officers, but every Citizen had personal interest in criticism of service of elected officers.

when the elected chief officer appointed his subordinates, there is really no public criticism of it as a whole. The reason is that no one is personally interested to publicly criticise an office conducted by Civil Service place holders, because his criticism would be made to appear mere fault-finding to the public, since the public would see it as fruitless—it could not effect the removal of the Civil Service place holders, but only of a scapegoat at the most.

On the other hand, Citizens who want the subordinate places for themselves or their friends are personally interested to publicly criticise an office conducted by subordinate officers appointed by an elected chief, because if the criticism is proper it can be fruitful. It can result in the Citizens electing another chief officer at the next election, and so changing the subordinate officers. Such interested criticism, indeed, has always been looked to by the Citizens as the surest means of information for them as to the conduct of the officers, and as their means for reconstructive discipline of their conduct if not satisfactory.

Civil Service has created an office-holding class, and is making itself the Government.

The progressive appointment of officers through Civil Service has created an office-holding class of Citizens, which, in self-development as a class through its permanent possession of the offices, is making itself the Government. As a class it has already very largely freed itself from the restraint of laws made by the Citizens independently of its suggestion, and may be said to make its own laws, ruling by them instead of serving under laws made by the Citizens.

Civil Service officers, by

In permanent possession of the subordinate offices in municipalities the officers organize into

combining, fix their duties and salaries.

Civil Service Unions, modeled after labor unions, with which they affiliate in federations to secure the same kind of ends—the monopoly of the offices by members of their union, and the fixing of their official duties, hours of public office service, and salaries, by their union rules, in place of having them fixed by the Citizens by their laws. In permanent possession of the subordinate offices in the Government of a State, they organize themselves into State Civil Service associations, hold conventions, and formulate laws in their own behalf, to be suggested to the legislatures for enactment.

Civil Service Federal Officers have seized vast tracts of the best public land.

In permanent possession of most of the subordinate Federal offices, the Civil Service Federal officers have seized the larger and better part of the public land for themselves, seized the water and water power of the lakes and rivers, bribed States with public money to make cessions of jurisdiction, in form to the United States, in fact to themselves, of vast areas of their soil, broke from office chief officers who refused to break the laws at their behest, ignored Courts, and have built and operate with the public money a great publicity machine to mislead the Citizens.

Citizens are notably ceasing to vote at elections.

That Citizens are notably ceasing to vote at elections, and that those who continue to vote take little interest in the election of any officers except chief executives who still appoint subordinates, is much more observed than the cause of it in the Civil Service has been understood. It is generally recognized that the decrease of the vote at elections is not a good condition. Without any real constructive basis from understanding of the cause, numerous plans have been

proposed to cure the condition. One proposition is that Citizens be required by law to vote at elections, under threat of a penalty if they do not. This, instead of putting heart into voting, would take the heart out of it. Another proposition is to have fewer elected chief officers—a short ballot, so called. Obviously this would cause more Citizens to stop voting.

Civil Service laws should be repealed.

There is only one way to cure the condition. That way is to remove the cause—Civil Service. The Citizens want to take a human interest in voting because they are human. They want to vote their friends into possession of the offices because they are human. They want to see their officers close to themselves as they do when they are electing them, instead of having them made for them by a mechanical calculating machine so remote from them that they cannot take the works apart and then put them together again, because they are human. They want to vote for more officers rather than for fewer officers, for that way they can see that being a Citizen gives them something individual, which is tangible and valuable, because they are human.

CHAPTER XII.

THE RULING RIGHT TO SERVE AS OFFICERS AND AS COURTS.

Service of Citizens as officers and Courts offers them distinction and honor among their fellows.

The ruling right of Citizens to serve as officers and as Courts offers to them the only opportunity for distinction and honor among their fellows, which is permitted by their institution of natural society and the compact between themselves in their form of government—honor for those Citizens who serve as Courts, and distinction for those who serve as officers.

Distinction among their fellows is the only reward which service as officers can give Citizens. Officers do not rule Citizens by virtue of the right of the office which they may hold. The possession of office confers no privileges on the officer. It imposes obligations of duty on him. The fundamental Law and the laws which other Citizens make are over him, and direct his every officer acts as a duty to be performed according to the law. Office is an obligation of service in the society of the American People—service under the laws.

Honor is their fellows' reward to the Citizens who serve as Courts, because the honor of those who so serve is the foundation of the security of the People's institution of natural society. It is because of confidence of Citizens in the honor of their Courts that their judgments are accepted

as declaring the right and giving justice. Very, very few Citizens who serve as Courts fail in their honor. While human as other Citizens, and liable to commit error as they are, the honesty of their judgments is rarely impeachable.

Powers of officers are representative.

The rightful powers of officers to perform their respective duties are representative in character. The officers have the authority and force of the physical ruling power of all the Citizens. They act always in the name of The People, which is the same as all the Citizens, and so exercising the authority of all their ruling power, represent it. They have no inherent or inherited powers as officers. There are none in the institution of natural society to be inherited. There are none in the republican form of governments to be inherited. They have no permanently granted powers from the Citizens. The Citizens retain all their ruling powers from any permanent grant of them to officers.

In certain contingencies Citizens delegate all their ruling powers temporarily to officers.

Recognizing, however, that certain cases may arise in which physical ruling power, represented through civil officers of government, is too indirect and relatively remote to accomplish its purposes, the Citizens, by express terms of compact in their constitutions, provide for delegating, during the period of such cases, all their physical ruling powers to military officers. The cases in which this delegation of their ruling powers is made by the Citizens are cases of rebellion or of invasion, when the immediate safeguarding of the persons and property of the inhabitants, or of the dominion of the Citizens, may temporarily require such delegation. In such cases the President, or a State Governor, is empowered

to declare martial law, that is to say military law, shall rule in his person as the military commander-in-chief, and the civil law, administered by the civil officers through the Courts, shall be suspended.

In certain other cases Citizens may exercise their ruling power directly instead of through officers.

In certain other cases in which the Citizens' physical ruling power, represented by officers having its authority, is too indirect and relatively remote to accomplish its purpose of securing the safety of inhabitants and their possessions from rapine and pillage by outlaws, the Citizens themselves may temporarily exercise their physical ruling power directly on the outlaws. In these cases the Citizens rightfully have the right of their own physical ruling power, the same as their Chief Executive has it when, in cases of rebellion, it is temporarily delegated to him on his own initiative declaration. In acting in such cases the Citizens are not bound to observe any form of civil law in dealing with the outlaws, because they are really acting as a volunteer military force of Citizens.

Vigilante law and lynch law.

Citizens do, usually, observe rude forms of procedure of military law in capturing and disposing of the outlaws. These rude laws are termed in the vernacular Vigilante law, or Lynch law, very much according to the degree of military organization of the Citizens. Without regard to the name, the law is good American People's law, and more law than outlaws, whose acts of outlawry have caused the Citizens' military organization to subdue them, are entitled to have.

Citizens who apply lynch

While it is to be regretted that Citizens have, at times past and to come, to deal with outlaws

law to subdue outlaws do not breach the law of the land.

directly by themselves, exercising their physical ruling power to subdue them, because officers having the lawful authority of that power are too weak and ineffective to prevent or punish the acts of outlawry, the Citizens do not, by their acting in such cases, make themselves outlaws. Whatever presumptions there are, are in favor of the Citizens and against the officers who failed or neglected to use their authority of law. Instead of Grand Juries indicting Citizens for dealing with the outlaws, they should indict the officers whose failure invited the Citizens to act in their place.

Powers of officers made and defined by law.

The powers of officers are made and defined by law. They take obligation on being made officers to perform their duties as officers according to law. This is how officers come to serve instead of to rule Citizens. The officers are bound to do what the laws made by the Citizens say they shall, or may, do, and their powers are the ruling power of all the Citizens when acting within law, and none of it when acting without (outside of) the law.

Officers' acts are all directed acts.

Officers' acts are all directed acts—directed by law. Where no executive discretion is given by law to officers, the officers are without discretion, and are said to act ministerially. Where the officers are given discretion by law, their acts are said to be executive. When an officer empowered to act ministerially neglects or refuses to perform a ministerial act, a person who is injured by the refusal or neglect has a right of appeal to the Courts to compel the officer to perform the ministerial act. When an officer empowered with discretion has exercised his

discretion in his act under the law, the Courts have no power to compel him to change his act.

Classes of officers made by differences of nature of duties.

Officers may be classed by the general nature of the duties given them by law as Court Officers, fiscal officers, and executive officers.

Court officers include Sheriffs, marshals, constables, attorneys, clerks, receivers, reporters, coroners, administrators, recorders, and the like. They are the inhabitants' officers in that, under the Courts, it is their combined function of office to secure to all the inhabitants, between themselves, whether citizens, subjects, or aliens, all of their natural rights, and so to maintain unchanged the inhabitants' institution of natural society.

Election Officers.

Election officers are in function special inferior Courts of Citizens provided with Court officers for the special purpose of conducting elections by the Citizens.

Fiscal Officers.

Fiscal officers include assessors, appraisers, tax collectors, license collectors, collectors and surveyors of customs, internal revenue and customs officers, treasurers, controllers, auditors, and the like. They have, as such, no discretionary authority whatever. Their duties are exclusively ministerial. Their combined function of office is to assess or appraise the value of any property on which a tax is levied by law made by the Citizens, collect the taxes under whatever name they may be called in law, hold the taxes and other public money safely, and pay it out as directed by law made by the Citizens. They are officers of the Citizens' dominion in that they exercise the ruling right of the Citizens to

support and secure their dominion by assessing taxes on the inhabitants, including themselves, to pay the cost.

Executive Officers.

All other officers are either chief-executive officers or subordinate-executive officers. They are all officers of the Citizens' dominion in that they exercise the Citizens' ruling right of government in securing their dominion from destruction by force from within or without it.

Chief executive officers and subordinate executive officers.

Chief-executive officers include the President of the United States, Governors of States, Mayors of cities, and some Commissions, commissioners, boards and managers. Subordinate-executive officers are executive officers who exercise the authority of their respective chief-executive officers in sub-limits of that authority made by law.

Military, Militia, and police officers.

Military and Naval officers, for instance, are subordinate-executive officers who exercise the President's authority as the Commander-in-chief of the Army and Navy of the United States. Militia officers and State police officers are subordinate-executive officers who exercise a State Governor's authority as the Commander-in-chief of the militia and State police. City police officers are subordinate-executive officers who exercise a Mayor's authority as the chief-executive officer of the city police officers.

Commissions.

Commissions, commissioners, boards, and managers, where not by law chief-executive officers, are subordinate-executive officers, either of the President, a State Governor, a Mayor of a city, or of a commission or a board which is a chief-executive officer, and exercise the authority

of their respective chief-executives within the limits directed by law.

Titles of officers are not made by any rule.

There are, of course, executive officers with other titles than those mentioned here in illustration. It is not necessary to name them all here. They are all in either of the two classes mentioned. The titles of office given to most executive officers other than those in the military and naval service are not made by any rule, except that titles of nobility used in foreign states are prohibited by compact of the Citizens in their Constitutions. Titles of executive officers alone do not indicate whether the executive is chief or subordinate, and where executive, do not indicate the nature of the executive authority which the officer has. The titles of executive officers referred to here generally, should not be regarded as absolutely making the classification of the officers. That can only be done for any particular executive officer by referring to the laws defining his duties.

Duties of executive officers.

Some of the duties of executive officers, both of chiefs and subordinates, are ministerial, the execution of a particular act being directed by law without discretion in the officer. In executing ministerial acts there is no relation of chief-executive officer and subordinate-executive officer. The officer charged with the duty, or the performance of the act, must look to the law directly for his authority. Where the executive officer is given discretion by the law, a subordinate-executive officer must act by the discretion of his chief-executive officer and not by his own discretion.

Commissions usually act as a board, but in some cases each commissioner has the executive authority of all of them.

A chief-executive Commission or Board constituted of several officers, each one titled Commissioner, Trustee, or Director, is usually by law a single executive officer, its discretion being exercised through a vote which finds a majority for its act under the law. In other cases any one of the officers exercises the discretion of the entire body in acting for it. It would seem proper, in cases of such Commissions and Boards, to consider the members as separate officers having the same and equal authority and discretion under the law, rather than to consider them collectively as an officer. Their title of association means nothing in the executing of the law, even though it may sound more impressive in conversation.

Originally the number of executive officers was very small.

In the beginning of the dominion of the American People in their original Thirteen States, the Citizens secured the natural rights of the inhabitants, and their own dominion, in the peace following the war of the Revolution, with a very small number of officers in proportion to the population which they served. The addition of offices and officers when the present Union of the States was made, in 1789, did not appreciably increase the proportion of officers to the population. Of the total number of officers at that time, more than half were officers of the Courts, and nearly all the others were fiscal officers. The proportion of executive officers was a very small fraction.

In proportion to the population the number

These conditions continued until about 1900, except during the periods of the war with Great Britain in 1812-1814, and of the Civil War in 1861-1865, when the numbers of fiscal,

of officers did not increase in first 110 years of dominion.

military, and naval officers were temporarily increased. It is probable, too, that in proportion to the total population, the total number of officers, Federal, State, and municipal, was less in 1900 than it was in 1800. The number of different offices was hardly increased at all during the passing of a century of dominion.

Number of officers increased more rapidly than population since 1900.

Since 1900 both the total number of different officers and the total number of officers, have increased in greater ratios than the population. While before 1900 the total number of officers was less than one-half of one per cent of the total population, it was, in 1916, between one and three-quarters and two per cent of the total population, and is now—1920—between two and one-half and three per cent of the total population.

Increase of officers is almost altogether in executive officers.

The increase is almost wholly in executive officers, and of these in what are termed civil officers. Military, naval and militia officers altogether were not increased during the period 1900-1916 at any greater rate than the population increased. Fiscal officers have been increased in number some, because the increased number of executive officers has increased the taxes. Court officers have increased in number because of the large amount of an entirely new kind of litigation with which executive officers have literally swamped the calendars of the Courts—litigation between executive officers and inhabitants, initiated by the officers.

Original purposes of American People's Courts.

The original purposes of the institution of the Courts of the American People were, first, to find and settle by authority the rights of possession, that is to find and settle the rights of

property, by the rules of the fundamental Law of natural rights; and second, to find the crime, and fit the punishment by the laws of the State, the dominion, in cases where a person has used force and violence against another's natural right. In the last class of cases, instead of each party pleading for himself, the State pleads for the plaintiff, making the prosecution impersonal as well as the Court.

A third purpose of the Courts developed as part of the American People's institution, when the enactment of laws by the State Legislature raised questions between persons and the State as to the right of the law, that is to say, the Legislature's right to make the law under either the limitations imposed by the fundamental Law, or under the limitations of law making which the Citizens in making the State Constitution imposed on the Legislature. The three were all the purposes of the institution of Courts in the original Thirteen States before their Union.

New Courts with new purpose besides purposes of other Courts established by United States Constitution.

With the Union of the State under the Constitution a fourth purpose of Courts was created, an entirely new purpose, and entirely new Courts were established to carry it out. These new Courts—the Supreme Court of the United States, created by the Constitution, and the Courts below it, which Congress establishes under the Constitution—have the new purpose of finding the right of, and settling by authority, questions between the States in the Union, and questions between States and United States, which may be described broadly as questions which arise under the covenants of the compact of Union between the States as independent dominions,

and under the delimination of the grants of dominion which the several States have made in making the dominion of the State of the United States. These Courts of the United States, besides this entirely new purpose of Courts, serve the same purposes in the separate dominion of the United States that the Courts of the several States serve in them.

A new kind of American Courts— officer-Courts.

The resistance which Courts have opposed to the attempts of legislatures and officers to enlarge the powers of officers in violation of the fundamental Law, has caused, since 1900, the invention by officers of a new kind of Courts, which, for want of a better description, may be called officer-Courts. The Citizen who serves as a Court of this kind is first an executive officer, either chief or subordinate, with the title of the officer, and makes or creates his enlarged powers through being made by the law the Court of the first instance, which finds, or makes, the law for his acts as the officer. It is a Mr. Hyde and Dr. Jekyll arrangement of a man in office. This is why it is that, while a Citizen who serves only as an officer, may gain distinction without qualification, or who serves only as a Court may gain honor without qualification, a Citizen who serves as an officer-Court cannot gain either distinction or honor without qualification. The qualification is usually something unprintable, if printable, it is lese majesty.

Officer-Courts are inferior Courts from which appeals are futile.

The officer-Courts are inferior Courts to the original Courts. The laws making the officer-Courts generally provide for appeals to original Courts, in some cases from the judgments, but in more cases only from the findings of law. In

some cases the provision in the law for appeals from the officer-Courts is futile—like offering a thirsty man a bottle without water in it. The omission of the officer of the officer-Court against the right of the Citizen, sustained by the finding of the Court of the officer-Court when the Citizen protests the omission of the officer of the officer-Court, does not make an issue which is appealable to the original Courts.

Instance of officer-Courts nullifying law made by Congress which gave Citizens the privilege of a valuable right.

The officer-Courts in their omissions may, and usually do, violate the law of their authority as well as the fundamental Law. For instance: Congress enacted a law making a privilege for Citizens. It provided that Citizens applying under the law could take legal title to public land in Alaska containing deposits of coal. The law provided further that Citizens must initiate their applications for the legal title by showing right under the laws of possession. The execution of the law as the agent of Congress was given to an officer-Court.

Thereupon the officer of the officer-Court proceeded to omit (by refusing and denying) to give any Citizen a claim of right to apply for the legal title to any public land in Alaska containing deposits of coal. The Court of the officer-Court sustained the omission of the officer of the officer-Court against the protest of every Citizen who undertook to claim a right to the privilege, regardless of whatever showing of initiation of right under the laws of possession he would make. The Court of the officer-Court denied, in effect, that the Citizens could have any right whatever by force of the laws of possession in the public land, and, having found

this against him, then denied his claim of right to take the legal title because he did not initiate his right under the laws of possession.

Officer-Court operated to cut Citizens off from right of appeal.

On these findings the Court of the officer-Court sustained the omission of the officer of the officer-Court, and so cut off the Citizen's way to an appeal to the original Courts. The Citizen never having had a right, the officer's omission deprived him of nothing, so he did not have legal ground for an appeal. If the officer of the officer-Court had given the Citizen a claim of right, by entry, as the law provided, to take the legal title, and the Court of the officer-Court had then, on review of his act as the officer, taken away the right, the Citizen could have appealed to the original Courts on the ground that he had been deprived of his right.

Officer-Court makes dead letter of Act of Congress by enlarging his authority.

By his omission against the right of the Citizens under the law of Congress, which omission was immune from review by the original Courts, the officer-Court so enlarged his power that he took from the Citizens both the privilege of the dominion which the law of Congress intended they should have, and their natural rights in the public land, which the fundamental Law gave them. No Citizen succeeded in taking legal title to any public land in Alaska containing deposits of coal. The officer-Court prevented them and nullified the law made by Congress—made it a dead letter. No Citizen has since taken coal from the deposits in the public land in Alaska, though they have a natural right to take it. The officer-Court has

prevented them by prosecuting them as criminals for even thinking of taking it.

Officer-Courts infest the Executive Departments of United States Government.

Officer-Courts infest the Executive Departments of the Federal Government. They are there the active officers of the cabal of Citizens who have been, and are, engaged in the attempt to change the republican form of government of the United States to a new feudal form of government. The officer-Courts give the cabal an effective means by which to take away natural rights of the inhabitants, including the Citizens, and by making and selling privileges from them, to reduce the once free Citizens to the condition of subjects to themselves.

Officer-Courts infest the governments of States given to the new fashions in making laws.

Officer-Courts infest the governments of those States in which the Citizens have most freely made their laws in the new fashions. The officer-Courts in these State governments are the agents in office for the Citizens who have been, and are, engaged openly in the attempt by their votes to change the republican form of governments of the States to a socialistic form of government. The same as in the Federal Government, the Court of the officer-Court sustains the officer of the officer-Court against the right of the Citizen under the law, and has made the appeal to the original Courts so remote as to be futile to help the Citizen.

Railroad Commission of California enlarging its power through disregarding the law.

For instance, the Railroad Commission of California is an officer-Court. Its socialistic purpose is to effect a redistribution of some of the capital engaged in commerce by squeezing increments from it. In carrying out this purpose under the socialistic laws, the Commission makes the present value of each particular lump of

capital before squeezing the increment from it. The laws say that in making the present value of a capital the Railroad Commission must deduct from original cost the depreciation of value through wear, tear and wastage in service, and must add the appreciation of value from increased earning power gained by economies and improvements in the management and use of the capital.

California Railroad Commission said it did not know law, and would not observe it anyway.

In a recent hearing (?) to make the present value of a large capital, the Railroad Commission found the original cost, and found and deducted the depreciation, as the law directed. The Commission also found a large appreciation of value from increased earning power gained by economies and improvements in the use of the capital, but refused to add the appreciation of value, saying that it had not known that there was such a provision in the law, and that though it was in the law, the Commission would not observe it. The owner of the capital could appeal from this rule made by the officer-Court to the original Supreme Court of the State. But what would be the use? The success of the appeal of the Citizen could not stop the Railroad Commission from increasing the increment squeezed from his capital.

Parasite officers of the American People.

A large number of the increase of officers, particularly of chief and subordinate executive officers, since 1900, are, in their relation to the affairs of the inhabitants, including Citizens not officers, official parasites on their commerce. The pretense for the officers is regulation of commerce. The reality for them is to live parasitically on commerce, in the vernacular to graft

by right of the law, a living from those who have money. The active carriers of commerce, railroads and ships, and after them the static carriers of commerce, merchants and traders, are the principal visible hosts of office-holding parasites. The lesser hosts, not always so visible, are the professional and labor crafts, and impersonally organized producers of commodities moving in commerce.

The hosts of parasite officers.

Wherever any impersonal group or class of inhabitants has been making a profit from commerce large enough to be advertised free; wherever, to speak in the vernacular, corporations or like business organizations are making money, there has been seen a prospective host for one or several officer parasites. Then, despite resistance from the Citizen owners, the officers have, by law, grafted themselves onto the money. The public service corporations, railroads, electric light and power, gas and water, everywhere in the several States have so been made hosts for a multitude of multiplying parasite officers.

Ultimate Consumer real host of the parasite officers.

All parasite officers eat money, and, like all other parasite species of the genus man, all of them waste, or cause waste, of more money than they eat, so providing for parasites living on parasites. All the money parasite officers eat in salaries, fees and expenses, and all the money they waste, or cause waste of, in the pretense of regulation of commerce, taken by the law, in the first instance from the carrier of commerce, in the end is taken from the ultimate consumer in the price he pays for the commodity moved in the commerce.

The wonder is, and the wonder grows as the parasite officers breed more of their species, how it is that the American People, who are all ultimate consumers of commodities carried in their commerce, are seemingly stone blind to the really plainly visible fact that they, and not the carriers of their commerce, are the real hosts of their parasite officers.

Lese majesty highest crime against officers in foreign states.

Lese majesty is the foreign name of a subject's expressed contempt for privilege; that is to say, of a subject's expression of contempt for the man or men who rule him by their own made privilege. It is held by the rulers of the foreign states to be almost the highest crime—high treason to the State, the ruler being the State. If a subject says aloud, "Oh! Damn the King!" or "Oh! Damn the dam of the King!" he is seized, tried, convicted, and sentenced to more punishment than if found guilty of murder of another subject.

Rightfully no lese majesty in American States.

In the American People's dominion there is rightfully no lese majesty. The Citizens have all the ruling power, and are equal in right of it, whether officers or not officers. One Citizen may by right say aloud all the contempt which he may have for the officer acts of another Citizen who is an officer, without the saying being lese majesty and high treason, and even without it being a personal matter between the two. The officer acts are presumedly acts directed by the law without personal responsibility. Any Citizen may question the law, saying what he will about it, so long as he does not breach it.

How lese majesty has been made a crime in American States by new fashion laws.

Wrongly, lese majesty, or its substantial equivalent, has been created for the American People. The new-fashion laws which provide officers—Lord High Executioners—to execute them on inhabitants, also provide penalties for breaches of the laws which they define. The breaches of the laws defined are all similar—typically being a neglect or failure to get the permission of the Lord High Executioner before doing some unavoidable incident act of conducting a commerce. These incident acts are not *per se* unlawful, but the doing of them without the official permission is made unlawful so as to make a pretense of necessity for the existence of the Lord High Executioner. The penalties for the neglects or failures have a likeness. They are fines from $1,000 to $10,000, and imprisonment from six months to five years, or both, and each separate day of the failure or neglect is made a separate offense, permitting a staggering sum of accumulated fines and years of prospective imprisonment against one who would question the law.

Lese majesty is the crime of contempt of a Lord High Executioner of a law.

Since the doing of the unavoidable incident acts of conducting commerce are not *per se* unlawful—if unlawful they could not be licensed by a permission—the real crime (?) which invites the punishments is of the nature of lese majesty, or the substantial equivalent of it, being obviously a contempt for the Lord High Executioner of the law.

Lese majesty more serious offense than in Tipitu.

This lese majesty in the United States is a more serious offense than lese majesty in Tipitu. Tipitu is a little kingdom of Stageland discovered by two adventurers, a poet and a musician.

Pooh Bah is Lord High Executioner, and holds all the other offices of the state.

When contempt of a Lord High Executioner should not be lese majesty.

If one, for instance, follows the enactment of new-fashion laws by Congress, and notes, one by one, all the permissions which, by the laws, must issue from a single Department Chief, who has been made Lord High Executioner for more laws than he can possibly know, one cannot help realizing that the one superman cannot, one by one, give all the permissions for all the laws. He must and does depute a subordinate chief who is, of course, then a littler Lord High Executioner. Being littler, and not a superman, he cannot give all the permissions. So he deputes a department clerk who, being nothing at all himself, is then a still littler Lord High Executioner, and deputes the office boy who sits by the big front door. He is the littlest Lord High Executioner of them all, but still the real thing, since he issues the permissions to the inhabitants who must have them. But why should it be lese majesty, with a penalty of $10,000 fine and ten years in jail, for an inhabitant to have contempt for this littlest Lord High Executioner in the seat of his authority? It should not.

CHAPTER XIII.

CITIZENS' MILITARY SERVICE TO STATES

Duty of Citizens to give military service to their States.

It is the duty of every Citizen, by virtue of his obligation of dominion, to give military service to his State against inhabitants who obstruct the execution of the laws by a force of arms against which the peace officers of the Courts are unable to prevail. It is the equal duty of all the Citizens to give this military service. It is, however, a duty for which the Citizens have always volunteered in sufficient numbers to constitute an adequate military force to overcome any body of inhabitants who undertook to obstruct the execution of the laws by force of arms.

Volunteer State military force seldom has military spirit.

But while adequate in numbers, these volunteer forces have seldom had the military spirit to overcome the armed inhabitants against them when called on to do so. It has usually been necessary, because of their defeat in action with the obstructing inhabitants, for the State to call on the Union for its Federal military forces to assist its own troops.

Weakness of State troops in action exposes their States as protected and dependent.

This is bad for the Citizens. It exposes their States as being in fact dependent and protected States, where in name and in the unseeing eyes of their Citizens they are independent States. It exhibits the Citizens as too weak by themselves to secure their States' rights of dominion

against the destroying forces of unbalanced minds within their own numbers. It exhibits the Citizens as too weak by themselves to secure their right of dominion against invasion and destruction by the military forces of foreign states.

No excuses for weakness of Citizens' sense of obligation of dominion.

There are many excusing explanations made for this weakness of sense of obligation of dominion. But there should not have to be any explanations, and no excuses excuse. The condition simply should not exist if the dominion of the American People is to be perpetual as the meaning of this word is limited when applied to the dominions which men build.

Citizens lack military spirit.

The reason this weakness of the sense of obligation of dominion exists and spreads among the Citizens, is because they have not now the military spirit of men who themselves, by the force of their own wills and arms, make and keep dominion.

Citizens of State of Nevada are extreme example of lack of military spirit.

The Citizens of the State of Nevada have given the American People the extreme example of lack of the military spirit. They have lost all the military spirit they ever had, if, indeed, they ever had any. In 1906 they disbanded their militia or National Guard, whatever it was they called it. That same year, when the execution of the State laws was obstructed by armed forces of labor unions and rebels, the Citizens laid down helpless, and even unwilling, to secure the continuance of their dominion by fighting for it. They would undoubtedly have surrendered their dominion to the banded labor unions and rebels if left to themselves to choose whether to fight

or quit. On their call on the Federal Union for help, the President sent a Federal military force into the State, which set the Citizens up again in possession of this shaky dominion. But even the caustic lash of the President's criticism of the Citizens depending wholly on the military forces of the Union to secure their State dominion against destruction by an insurrection of some of the inhabitants has not yet (1920) stung military spirit into them.

Citizens of every State weak in military spirit.

While Nevada is extreme in being a case of total loss or total absence of the military spirit in its Citizens, there is not a State in which the military spirit of its Citizens is not weak and verging on disappearance. Nor is it altogether a matter of classes among them, although Citizens of the fraction of the artisan or working class which is organized into labor unions and federations seem to have lost all their military spirit and sense of their obligation of dominion. Among all other classes the military spirit is so weak, and the conception of their obligation of dominion as being to their several States so uncertain and undependable, that they seldom back up their own State's military forces in military acts by which they overcome the obstructing inhabitants bearing arms, and usually undo afterward, through their civil officers, all that their military forces did in overcoming them.

Citizens are generally unconscious of their weak and failing military spirit.

Citizens generally are not conscious of the condition in themselves which their weak and failing military spirit discloses. They are self-assured in their unconsciousness that the failing of the military spirit measures true growth and

higher development in their Citizenship. The fact is, that it measures senile decay in Citizenship, and indicates its approaching death.

Without their dominion being held unimpaired there are no American Citizens.

Without dominion there can be no American Citizens. When their dominion is destroyed, they are destroyed. With American Citizenship already so decadent through loss of the military spirit that it does not, unaided, hold its dominion in a State from self-destruction, with what reason may it be expected that the massed decadent citizenship of all the States will be able to hold their dominion against foreign states which attack it? Is it not inevitable, when the parts each fail from weakness when tried separately, that they will fail from the same weakness when tried together?

State police institution hides military weakness of Citizens from themselves.

The institution of a State police, organized and directed as an armed military force, for the purpose of overcoming armed and organized inhabitants obstructing the execution of the laws, conceals the weakness of the military spirit of the Citizens from themselves, but does not change the fact of its existence. State police are hired mercenaries without the Citizens' interest in dominion, which, as a superior organized police, they secure for the money the Citizens pay them. Except in name and paymaster, they are the same as the armed bodies of private police which the inhabitants maintain to secure their persons and property against danger from the same organized and armed inhabitants who obstruct the execution of the laws. Private police forces exist because the weakness of the Citizens' military spirit makes the public police

forces ineffective to secure the safety of persons and property. Properly there should be no private police forces at all.

Ineffectiveness of State troops as military is an effect, not the cause of military weakness.

It has been both common and popular to condemn the mode of organizing and officering the militia and National Guards which constitute the States' military forces, as the cause of their ineffectiveness as military forces in overcoming the obstruction of the laws by armed bodies of inhabitants. The mode of organizing and officering militia and National Guards is the effect of ineffectiveness, not the cause of it. The ineffectiveness is in the Citizens, who, so long as they are weak in military spirit, are incapable of effectively organizing and officering military forces in their States.

Security of dominion depends on strong military spirit in Citizens.

Consider the security of the dominion of the American Citizens from any starting point, and the conclusion of the consideration is inevitably that the security depends on the possession of a strong military spirit by the Citizens, and that the strength of the military spirit proves itself by the Citizens' State military forces willingly and surely, and without the aid of a Federal military force, overcoming any obstruction to the execution of the laws by bodies of inhabitants of the State in arms.

CHAPTER XIV.

CITIZENS' MILITARY SERVICE TO UNITED STATES.

Citizens are under obligation of dominion to give military service to the United States.

It is the obligation of dominion of all American Citizens to give military service to the Union of their States—the United States—in all cases necessary to secure their dominion against change or destruction by Citizens or subjects in armed revolt against their Government, to secure American Citizens and subjects in the possession of their rights when in foreign countries, and to secure their States, Territories, dependencies, subject lands, and foreign states under their protection, against invasion by the military forces of foreign states.

American People are not militant by inheritance.

The American People are not a militant People by inheritance. Their colonial ancestors were persons who emigrated from Great Britain, Holland and France, inspired with the idea of avoiding military service themselves and saving their children from it. They accomplished these purposes. The colonists did not have to wage war to make themselves and their property secure. The people of Great Britain did that for them. The so-called Indian Wars of the colonists did not call for the development of the military spirit among them, though they developed individuals of the colonists into what are now described as good Indian fighters.

Military spirit created in American People by success in War of Revolution and earlier war between Great Britain and France.

The war between Great Britain and France—1754-1759—was the first war in which real military forces of the American colonists engaged. This war, and the War of the Revolution—1775-1783—through which the colonists secured their independence and emerged no longer subjects of Great Britain, but Citizens by their own right and arms, created the military spirit among the Citizens. But it died out with the success of the Revolution—there was no other people to war with after the people of Great Britain quit. The existence of the American People as Independent States did not threaten the security of the State of any foreign people. It was, instead, regarded by some foreign states as giving them a greater security from the military power of Great Britain.

Early emigrants from European States were not militant people.

The subjects of European states who have emigrated from them to the United States have been very largely of persons whose principal reason for emigrating was to escape military service. They joined a people very willing to aid them in escaping military service to their former states, because they did not understand how there could be any need of subjects giving military service to their states under compulsion, when, as American Citizens, they did not give military service to their own States, or their Union, unless they chose to volunteer the service.

Lack of military spirit in American People is not surprising.

It is, therefore, not surprising that American Citizens have little natural military spirit, or none at all. Their colonial ancestors did not have any. The subjects of foreign states whom American Citizens of the original stock have

adopted as they came, did not bring with them any military spirit, but the opposite of it.

Security of dominion only in jeopardy once through lack of military spirit in Citizens.

The security of the American Citizens' dominion has only once during its existence been in danger through the lack of military spirit in the Citizens. That one time was the period of the Civil War—1861-1865—between the States. Being a civil war, the conditions were wrong for the development of the true military spirit in the American People. The inconclusiveness of the fighting in this war during the first two and one-half years forced the development of a military spirit among the men actually engaged in conducting the war. The Citizens not actually engaged in the fighting never comprehended the military spirit developed among the men doing the fighting, and do not even now—1920—understand that it was the belated development of the military spirit among the actually fighting men which brought the war to an end.

The military spirit defined, and its origin.

The military spirit is the spirit of dominion of the soil implanted or bred in the men of a people constituting a state or a nation, which unconsciously inspires them to seek to add to their dominion by their superior physical power of colonization in periods of peace, and by their superior physical power of arms in war, both used by them, regardless of any considerations whatever but those which seem to them most certain to secure that territorial extension of dominion of the soil.

This military spirit is born of the necessity of the people of a state, of a nation, or of a race, to have more soil for themselves as they increase

in number and material wants beyond the capacity of the soil they already have to hold them and give them all their wants. It is held through their fear that the people of another state, another nation, or another race, out of the same necessity of its people, will seek to colonize their lands in peace, or by war to provide for the increase of its own kind.

Necessity of formation of the United States in place of the Confederation of the States.

It was the fear of the original American Citizens that unless their Thirteen weak States formed a strong military union, the time would inevitably come when their weakness, separately, would invite attack by war on their separate dominions, which helped the formation of the United States under the Constitution. The Confederation of the United States, a defensive league of the States formed during the war with Great Britain, was seen to be too weak as a military union of them to insure that none of them would be warred on separately.

Union of States as United States gave them security for a time without requiring strong military force.

In the union of the States under the Constitution, American Citizens obtained more than they had expected. The states of foreign peoples, from the beginning, accepted the strong military power of the Union as a fact without trying it out by war. Without real military power, the United States not only held their original territorial dominion in times of peace, but in the ways of peace they added to that dominion the vacant and unoccupied lands extending westward from it to the Pacific Ocean, providing soil for the increase of the American People without the succession of wars which other States, during the same period, were compelled to wage in

order to add to their dominions the soils required by the increases of their people.

California and New Mexico too easily won and held to give military spirit to American People.

The war with Mexico—1846-1848—came and went in the conquest of an enormous territory too easily and cheaply won to impress the American People with the military spirit. So unconscious, indeed, were they of it, that after taking California and New Mexico from Mexico by victory in war, they bought and paid Mexico in cash for them, just as they had previously bought the territory of Louisiana from France, and as they later bought Alaska from Russia.

No military spirit developed in war with Spain.

The outcome of the War with Spain in 1898 was due to the absence of the military spirit in the American People. Cuba, Porto Rico, the Philippines and Guam were taken from Spain without being added to lands of the American People.

War with Germany in 1917-1918 developed no military spirit in American People.

The outcome of the War with Germany in 1917-1918 is due to the absence of the military spirit in the American People. A vast area of land has been taken from the German people, but none of it has been added to lands of the American People. When Great Britain, after the War, took German ships which the American People had considered their spoil of the War, no more militant protest was made by the American People than the question of a Citizen addressed to no one in particular—"Doesn't America get a souvenir of the War?"

The high and the low of the value of American

This is the low of the value of the American People's military spirit. The high of the value was in 1844, when the American People demanded of Great Britain agreement on the

People's military spirit.

northern boundary of United States territory on the Pacific Coast at north latitude "Fifty-four Forty or Fight." There was no fight. In 1846 Great Britain made the northern boundary at north latitude Forty-nine, took the south half of Vancouver Island south of that latitude, and refused to relinquish possession of the San Juan Islands, also south of latitude Forty-nine. Sixty years later Great Britain relinquished the San Juan Islands to the United States, the German Emperor having found the right of them in the United States.

American People unconscious that their present open lands are inadequate to contain them.

Unconscious of the real means by which, from period to period, their dominion over the soil needed for the increase of their people has been obtained, the American People are also unconscious that their people in the period since 1890 have increased beyond the capacity of their open lands to contain and support them. Alaska, the Philippines, Guam, Samoa, the Canal Zone, and, to a lesser extent, Hawaii and Porto Rico, as well as the greater and more useful part of the public land in the States, are closed lands to the People. They have been closed in unconsciousness by the American Citizens that they have in denying themselves the colonization of those soils of their own dominion, compelled the colonization of their increase on the territories of adjacent foreign states—Mexico south, and the Canadian dominion of Great Britain north.

Colonizing in Canada, Citizens become subjects of Great Britain.

They are unconscious, too, of the loss of the sense of obligation of dominion by themselves, which their colonization in Canada should have made plain. American Citizens colonizing in that dominion give up their right of American

Citizenship and dominion, and become subjects of Great Britain.

American People retreat before advance of Mexican colonists into American dominion.

Mexico has required of the American Citizen colonists that they should give up their right of American dominion and become Mexican Citizens, as the sole condition on which their colonization would be permitted in its dominion. On their refusal to give up their American Citizenship, it has summarily effected their return to the United States. During the same period the increase of the people of Mexico has colonized on the dominion of the American People, and their attempt at further colonization, supported by the military forces of Mexico, is only now—1920—suspended temporarily by the presence on the border of all the military land forces of the American People, and the existence of a truce between the two military forces facing each other across the border.

Formerly American Citizens would not become British subjects in Canada or retreat before Mexicans.

If American Citizens had the military spirit, those of them who colonized in Canada would not have become subjects of Great Britain. They would have held to their American Citizenship, inspired with the thought that their colonization of Canada was the first step toward its ultimate annexation to the dominion of the American People. That is the way they formerly thought and acted when they colonized in Canada. If American Citizens had the military spirit, those of them who colonized in Mexico would not have returned to their States, driven back from colonization by the military forces of Mexico, or because of anyone's order to get out of Mexico. Formerly they would have stayed, and, making their protection an

excuse, the military forces of the American People would have added all of Mexico containing the colonies to American dominion.

People of Mexico have the military spirit.

That the people of Mexico have the military spirit is plain to be seen, in the fact that they not only colonize at will in the dominion of the American People, but keep American Citizens from colonizing in their own dominion. If they continue to hold what they have taken from the American People by force of their military spirit, it is obvious that in their own dominion the American People will retreat their settlements from the border, and the Mexican People will advance their colonies, taking possession of the soil from which the American People retreat.

The proposal, made by American Citizens to the Joint Commission of High Officers of the two peoples in 1916, sitting in consideration of the border difficulties between the two peoples, to separate the military forces of the American People and of the Mexican People, now facing each other across the border line, by a Neutral Zone several miles wide, so as to remove the danger of their shooting at each other, is a movement of American Citizens to further retreat their settlements from the border.

American People retreating on the Pacific Coast before advance of Asiatic colonization.

The same evidence of the lack or absence of the military spirit in the American People is shown in their retreat on the Pacific Coast before the advancing colonization of Asiatic peoples possessing the military spirit. In neither Hawaii nor California are they absorbing into their own body the native-born descendants of these Asiatic

colonists. The native-born Asiatics are American Citizens, but they are both permitted and encouraged to consider that their obligation of dominion is to be rendered to the foreign states of their fathers and not to the American State of their birth. In Hawaii the time is near when the native-born Asiatics will be the dominant majority over the other American Citizens, without their sense of obligation of American dominion.

Failure of Preparedness campaign shows absence of military spirit in American People.

The failure of the public campaign, made through 1915 and 1916, to give the American dominion adequate military preparedness for a war with a foreign state, is another evidence of the absence of the military spirit from American Citizens. Had there been the military spirit in the Citizens, Congress would have made the construction of new ships for the navy, which it then authorized, an immediate construction instead of spreading it over a term of several years. The Secretary of the Navy would have forthwith allotted out the construction to the several private shipbuilding yards in the United States, and directed that it be given the preference over private shipbuilding. This preference would have been given by the private shipyards, as a matter of course. Nor with military spirit in the Citizens would Congress have constructed a national army by grafting the militia and National Guards of the several States onto the regular army of the United States.

Regular army in functions more a national police

The regular army, while truly military in its officers and men, is, in its functions, more a national or Federal police, organized in the form of an army, than a straight military force of

than a military force.

soldiers. Its principal present—1920—military services are: the maintenance of American rule over the subject peoples in the Philippines and Porto Rico; the manning of the forts which guard the Panama Canal and the Atlantic Coast cities, and the protection of the inhabitants of the States bordering on Mexico against raids and forays from it. The service of the regular army in Alaska and in the national parks and national forests is police duty. So, too, is its service in the States in cases such as labor strikes, where inhabitants in arms successfully obstruct the execution of the laws, despite the State's military forces opposing them.

American People object to a standing army in time of peace.

The American People have always objected to the creation of what they call a standing army by the United States, and until the close of the Spanish War, in 1898, never let the regular army, in peace time, exceed 25,000 men of all arms. The fear has been that with a standing army the Federal Government would be likely to destroy the independence of the States. There are not wanting signs that this fear of destruction of independence is justified. But, as it has turned out, the regular army has never been a menace to the independence of the States. It has, in fact, been the best support of that independence. The civil power of the Federal Government, which the People had not thought to fear, has already destroyed not only the independence of the States, but very largely the natural rights of the inhabitants, including the Citizens.

Weak point of regular army

The weak point in the regular army, considered as a national army, is that the rank and

considered as a national army.

file are hired men. The service is regarded as an occupation, not as an obligation of dominion. Recruits are solicited to volunteer because the pay is high, and the work light, with advantages of foreign travel. Military service in the regular army, therefore, competes with the occupations of civil life in securing men who have the option of choosing either. As the occupations of civil life in the long run pay the most, it is naturally found impossible to recruit the regular army beyond a maximum number, determined wholly by the pay and advantages as compared with what occupations in civil life offer. At the present time—1920—this maximum number is somewhere between 80,000 and 100,000.

Militia and National Guards are absolutely weak as military forces for any purpose.

The militia and National Guards of the States, which, as has been explained, are too weak as military forces to hold up the dominion of the Citizens in their States against armed bodies of inhabitants who may, and do at times, defy it, are also too weak when combined as a national army to uphold the dominion of all the States against the military forces of foreign states which must be regarded as likely, some time or other, to question in war the strength of that dominion.

Weak point of militia and National Guards as a national army.

The weak point of the States' volunteer forces is that the militia and National Guards are not hired men. They do not regard military service as an occupation, but merely as a diversion. They are composed of independent Citizens with established places and material interests in civil life. They are, most of them, unable to sacrifice those places and interests for real military service. As a consequence, the total number in

all the States of men willing to serve in the rank or file, or even as officers, on a call for service in a national army, is very limited, and the number of possible annual recruits so much more limited by the same material considerations that long-service terms are inevitable in such a national army.

Soldier trade as exacting in requirements to gain effectiveness as any other trade.

The trade of being a soldier is just as exacting in requiring a period of exclusive apprenticeship training before the trade is learned as any other trade. It is physically impossible for men to serve apprenticeships at two trades at one time, even though one be an apprenticeship training for the trade of soldier. This is true for rank and file and officers alike. It is physically impossible for the latter to learn the soldier business of an officer of the national army and at the same time give their full service to the businesses and professions by which they live.

> "A man who enlists in an army has the right to demand that those who are his leaders shall know to the fullest extent the duties appertaining to their office. Lives unnumbered are placed in their hands, but they are offered upon the altar of their country, and not to satisfy the vanity of individuals; they are in the field to fight the enemy, not disease. If they must perish, let it be by the kindly singing bullets, and not by the ignorance of their commanders. . . .
>
> "The most promiscuous murderer in the world is an ignorant military officer. He slaughters his men by bullets, by disease, by neglect; he starves them, he makes cowards of them, and deserters and criminals. The dead are hecatombs of his ignorance; the survivors, melancholy spectres of his incompetence."—*The Valor of Ignorance.*

Attempt of Congress to federalize National Guards proved that a national army could not be made that way.

What Congress accomplished by its act (in 1916) federalizing the National Guards and grafting them onto the regular army, was not the making of a national army, but the proof that it could not be made that way Both the regular army and the National Guards of the States being separately incurably weak as a national army, the combination of the two was bound to be incurably weak the same way. The unexpected call for both bodies of troops to mobilize for real military service, ordered June 18, 1916, by the Secretary of War, conclusively shows this: In six months following the order, it was found impossible to recruit the regular army to its authorized total of 120,000, or even to 100,000, the actual total being about 85,000. Also, it was found impossible in the same time to recruit the National Guards to even their nominal peace footing of 120,000 men of all arms, resignations of officers and men tendered, in fact, far exceeding the number of recruits. At the present time—1920—the National Guards or militia would disintegrate and disappear if it was not held together by military force.

American People must get military spirit now whether they like it or not.

Quite regardless of the fact that the American People have not the military spirit, and very probably do not want to have it at all, they must get it, and get it quickly. It is either that or they must be willing to accept immediately the beginning of the loss of their dominion of the soil, which, once begun, will continue until their dominion is all gone, and they, as a People, have disappeared from the face of the Earth.

A National Army cannot be made from the adult men of the People.

It is obvious, too, that, assuming the American People get the military spirit, it will still be practically impossible to make a national army at once from the adult men of the People. They cannot be withdrawn from the productive industries in which they are engaged without destroying them and disorganizing the whole industrial economics of the People. A national army cannot be made from retired business men or workmen after they have passed the point of their maximum physical efficiency. So by elimination of the unavailable and impossible classes of adult men, there are no adult men left from which to make an army any different or more in number than now constitute the regular army. In the end it comes down to the boys as they are passing from youth to manhood and before they enter into and become part of the industrial system of the American People.

American People have had so far no concrete plan for forming a National Army. A plan presented by the writer.

No concrete plan for making the National Army from the Citizen boys has yet been considered by the American People. It is for that reason that the writer presents a concrete plan, which, if it serves no other purpose, may be used as the basis of a final plan. It is wholly an American plan adapted to the social and industrial circumstances of the American People as they have been formed and become established during the one hundred and forty years they have been a People without a National Army. It is not adopted from the plan of military service of any foreign state. Such resemblances as appear are accidental, not intentional. Under this plan the military service of all male Citizens, equally and without discrimination or

favor, will ultimately be given to hold up their dominion against the military forces of foreign states. In the beginning all male Citizens over the age of seventeen years will be exempt.

Congress has power to make National Army by any plan it chooses.

Congress has broad power to make the National Army by this plan or by any other plan it may adopt which excludes the militia as organizations. This broad power is found in Article I, Section VIII, sub-section 12, of the Constitution:

> "To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years."

CHAPTER XV.

PLAN FOR A CITIZENS' NATIONAL ARMY.

Resolution of American Legion, Massachusetts Convention held in 1919.

The American Legion is a society constituted of American soldiers who took part in the War with Germany in 1917-1918. The Legion adopted, among others, the following resolution at a State Convention meeting in Massachusetts in 1919·

> "We have had a bitter experience in the cost of unpreparedness for national defense, and of the lack of proper training on the part of officers and men, and we realize the necessity of an immediate revision of our military system and a thorough house-cleaning in our entire professional military establishment.
>
> "We, therefore, favor a national military system based on universal military obligation, to include a relatively small regular army and a citizen army capable of rapid expansion in meeting any national emergency, on a plan providing competitive and progressive training for all officers, both of the regular army and of the citizen forces.
>
> "But it is the sense of this convention that such military system be subject to civil authority. Any legislation tending toward an enlarged and stronger military caste we unqualifiedly condemn."

Plan of military system

The writer's plan of a military system for the American People, made in February, 1916, when the necessity for preparedness for war was under

which meets requirements made by the American Legion.

discussion, meets the requirements made by the resolution of the American Legion in 1919. It is based on a universal military obligation of Citizens. The military forces it will prepare will be subject to civil authority, except when mobilized for war. The forces will make a Citizens' army capable of rapid expansion. The plan provides for competitive and progressive training for all officers, both of the regular army and of the Citizens' army.

Plan gives stand-by preparedness for war without a standing army.

Under this plan the Citizens' military service would be divided into two terms—a term of two years of military training first, followed at its completion by a term of twelve years of what may be described as "stand-by preparedness" for war. In times of peace there would be no field service, or field war game practice, during the second term, except an annual review and inspection testing the upkeep of the stand-by preparedness. This annual review and inspection could very appropriately come on the Fourth of July, in commemoration of American Independence.

The National Army in times of peace could not be a standing army, an army in the field. Its officers and rank and file would be engaged in their trades, occupations and professions, with less interruption of them from military service than had by officers and men of the militia. On war coming, either with a foreign state or with Citizens or subjects in rebellion, the condition of stand-by preparedness of the National Army would make possible its immediate mobilization into an active field army on a war footing.

Preparatory physical examination of boys for fitness for military service.

At fourteen years of age all Citizen boys would be obliged by law to present themselves at the nearest army registration office in their State for a preliminary physical and other examination for fitness for military service. Those boys found unfit at this time from causes which could be removed would receive the army assistance to remove the causes before the final examination two years later.

Final physical examination of boys for fitness for military service.

At sixteen years of age the boys who passed, or who conditionally passed, the preliminary examination, would present themselves again at the registration office for a final physical and other examination for fitness for military service. A rejection as unfit at this examination would be final, and no requirement of field military service would afterward be made.

Preparatory school camp for first year and finishing school camp for second year of soldier training.

At seventeen years of age the boys who had passed the final examination for fitness would go on the next following term-beginning-day to the Preparatory military school camps of their several States. In the Preparatory school camp, and in the Finishing school camp in succession, they would remain two years, entirely at the expense of the Federal Government. They would, during this period, be subject to all the regular army regulations and discipline, the same as men of the regular army, and would receive not only the same purely military training which men of the regular army receive, but as well a thorough training in all the trades and arts of civil life which modern military science has adapted to its purposes and employs in war.

In second year school training men would practice war, using their service military equipment.

The larger part of this war-industrial training would be done along with instruction in military tactics in the first year in the Preparatory military school camp. The second year of training in the Finishing military school camp would be largely war practice in battle formations of armies in the field, and the men would use the military equipment in this practice which they would afterward use in actual war service.

Land required for military school camps.

Each State would have two military school camps. It is not necessary that the camps be located on good land or near centers of population. The essentials are that the land shall have a variety of terrain such as the men would have to campaign over in actual war service, and that it shall be in large, compact bodies, clear of public highways, so that big gun practice shooting can be engaged in at long ranges with safety. It is better, if anything, that the land should be wild and remote from centers of population. So far as accessibility is concerned, a railroad would have to be built to each camp, and the building of railroads in the camps would be part of soldier training.

Location of military school camps in the States.

The preparatory school camps can be located in the interior of the States, wherever most convenient. The finishing school camps should be located on the State borders or corners, so that two or more finishing school camps of different States would be contiguous, giving larger fields for war practice, and in the cases of the smaller States, bringing their several units of army corps together so that they may be readily combined for war practice. In the cases of the larger and more populous States, it would make it possible

to jointly assemble two or more corps in one field, and so give the officers more and better training for the handling of the great military forces which now make modern armies in the field.

The men would be assigned to military units in first year of training.

The men would be assigned to the military units of which they would be part—companies, regiments, brigades, divisions and corps—and to the different arms of the service, in the Preparatory school camps. In making these assignments, due regard would be given to the homes of the men, so that subsequent mobilization for war service would not be delayed by making them come to their mobilization points from remote parts of the State.

West Point Cadets and National Army officers would be made from men in school camps competitively.

The training in the military school camps would be openly competitive, without favor, between the men for appointments as non-commissioned and commissioned officers of the National Army. The present system of making appointments of cadets to West Point would be changed. Each State's annual apportionment of West Point cadet appointments would go in the order of rank to the leaders competitively at the end of the training in the finishing school camps. The men in rank next to those getting the cadet appointments would be entitled to receive commissions as officers of the line of the National Army, grading up from Second Lieutenant to Colonel, provided they took a third year of training as officers at the finishing school camps. The men in rank next below those entitled to have commissions as officers would receive

appointments as non-commissioned officers—sergeants and corporals—at the end of the training in the finishing school camps.

Acceptance of officers' commissions would be elective, and they would serve with the men of the next year's class.

The acceptance of appointments to West Point, which would lead to commissions as officers of the regular army, and the acceptance of commissions as officers in the National Army, would be elective. Appointments and commissions in the cases of such vacancies as would be made by non-acceptance would go in succession to the next in rank. Except the first class passing through the finishing school camps, which would furnish officers for its own line as well as for the line of the next class passing, the line officers coming from each year's class in succession would be commissioned as officers in the next following year's class. This is the class with which they would receive their third year's training. The commissioned officers would thus always be a year older than the rank and file which they would command.

Leaving military school camps prepared for war, men would leave their military equipment in armories located at mobilization points.

At nineteen years of age, training to war service completed, the troop units would leave the finishing school camps, taking with them their complete war footing equipment, prepared, as they leave, to take their places in battle line, if there be war at the time, but if there be peace, entraining and marching to the armories and arsenals, which would have been made ready at the selected mobilization points to receive and care for the equipment. Here, instead of turning their swords into plow shares and their war horses into plow horses, as folk tradition has it American war heroes have always done, they will store their equipment of war, including their

uniforms and war horses, where they will be kept up ready for service on a call for mobilization, and themselves will put on their civilian clothes and leave the arsenal, to take their places in the peaceful industrial pursuits of civil life of the American People.

Two years in first or battle line of Active Division of National Army.

For the first two years after leaving the finishing school camps the military service would be in the first line, the first battle front, of the Active Division, or Field Division, of the National Army. In other words, these men, fresh from the training of the school camps, would be the first troops called to mobilize and go into battle, in the event of war.

Second two years in second line of Active Division.

For the second two-years' term their service would be in the second line, or support of the first or battle line troops. They would be the second called troops to mobilize in the event of war.

Third two years in third line of Active Division.

For the third two-years' term the service of the men would be in the third line, or reserve line of the first or battle line troops. They would be subject to the third call for troops to mobilize in the event of war.

Service of men in Reserve Division of National Army.

At the end of the first six-years' service in the Active or Field Division of the National Army, the troops would be retired into the Reserve Division of the Army. Service in this Division would be divided into three two-year terms, the same as the service would be divided in the First or Active Division of the Army. The order of calling to mobilization in the event of war would be the same. At the end of the six-years' service in the Reserve Division, officers and men

would be mustered out of the service, and would not be subject to further call for military service.

Appointments as General Officers in National Army.

The highest military officer rank which would be obtained competitively at the finishing school camps would be Colonel. At the end of the six years' service in the First or Active Division of the National Army promotions would be made from the rank of Colonel to that of Brigadier General. Those receiving the promotion would be assigned to command the brigades of the class leaving the finishing school camps that year. After twelve years' service in this grade, and at the time of mustering out of the men from the service completed in the Reserve Division, promotions would be made from the grade of Brigadier General to Major General. Those promoted to this grade would be assigned to command the Divisions and Corps of the class leaving the finishing school camps that year.

Recapitulation of ages and years of service of officers and men in National Army.

The respective ages and periods of service of men and officers of the National Army by this plan would be as follows:

Rank and file, from 19 to 31 years, 12 years.

Commissioned officers up to rank of Colonel, from 20 to 32 years, 12 years.

Brigadier General, from 26 to 38 years, 18 years.

Major General, from 38 to 50 years, 30 years.

Advancement in Rank in war and peace.

Distinguished service in action would bring rewards of advancement of rank made by the President and Congress just as distinguished service in war has in the past always brought

such advancement. Vacancies among the officers as they would occur in war or peace would advance the next in rank, so that non-commissioned officers would be advanced to commissions, brevet rank, without officers' examination, and full rank after passing officers' examination.

General Staff of National Army would be constitutional.

The General Staff of the National Army, and the Commanding Generals of the several Departments into which the National Army would be divided for administrative purposes, would be officers from the Regular Army. Officers of the Regular Army would also be Commanding Officers of the military school camps in charge of the training.

Appointments of General Officers from Civil life.

Until promotions in the National Army filled the grades of Brigadier General and Major General, appointments to these grades would be made from civil life or by detail of officers of the Regular Army. Surgeons would have to be appointed from civil life. Ultimately the surgeons would be men who had been through the school camps and had their training.

The annual recruits to the National Army from the military school camps.

The adoption of the plan here presented will give the American People a Citizens' National Army. After providing recruits for the Regular Army and the Navy required to maintain their war footing numbers, and to provide a reserve of men for the Navy (no reserve will be required for the Regular Army), there would be left approximately 700,000 boys 17 years of age, and physically fit, to enter the Preparatory school camps. Giving the company units over-maximum numbers of rank and file to allow for the natural losses of the two years' training and twelve

years' service, so that the companies would always have a war footing number of effectives in the event of a mobilization for war, there would be organized the first year not less than twelve corps. Increasing with the normal increase of population each fourth year should see an increase of an additional corps.

The number of effectives in the National Army by the writer's plan.

At the end of the first three years of operation of the plan, the first line of the First or Active Division of the National Army would be complete with about 1,400,000 effectives, rank and file and officers. At the end of seven years the three lines of the First or Active Field Division of the National Army would be complete, with approximately 4,250,000 effectives, constituting 76 full corps. At the end of thirteen years the new First Division would have in all three lines approximately 4,750,000 effectives, constituting 85 full corps, and the Second or Reserve Division of the National Army, filled in all three lines for the first time, would have approximately 4,100,000 effectives in its 76 corps. The total number of effectives in both Divisions would make a National Army of approximately 8,850,000 effectives in 161 corps. With this total force, with its military equipment, all prepared for mobilization on call, the American People would be immune from attack by any foreign state, no matter how large its military forces might be. If war came then, it would be because the American People willed that there should be war.

How the American People may

The adoption of the plan presented, or the adoption of any alternative plan which may be presented, requires that the American People get

show that they have the military spirit.

the military spirit and hold on to it. If they do get the military spirit they will be willing to do everything else required to make the National Army effective. For instance, the states will provide by legislation for an age limit of boys in the public grammar schools at fourteen years, and an age limit of seventeen years for boys in the high schools, and will eliminate so-called manual or industrial training of boys, limiting their public school instruction to the fundamentals of brain education as it should be limited. The colleges and universities, public and private, will raise their present sixteen-year age limit of admission for boys to nineteen years. The States and Congress will make a minimum age limit of thirty-one years for appointments to civil offices of the Government, so that the operation of these offices through war times would not be impeded by calls to their incumbents to mobilize.

This plan makes a prepared and standing equipment for trained Citizens to use in war.

The plan presented does not make a standing army in the field in peace periods. It makes a prepared and standing equipment for the National Army, prepared in peace for war, ready at hand to be taken by trained Citizens, who, taking it in hand on a call for mobilization, would make a trained army greater in number of effectives, and more fit as fighting men, than any armies which foreign states could mobilize on either of the American continents to oppose them. That way, and no other way, lies perpetuity for the dominion of the American People.

Improvement of American

Incidentally, the operation of the plan would gradually raise, and permanently improve, the

men through military training by this plan.

physical, mental, social and moral standards of the men of the American People.

No American boy will want to be found physically or otherwise unfit to go to the military school camps. He will do the things and live the boy life, of his own volition, necessary to keep him physically and otherwise fit, not the least of which things would be the disuse of cigarettes.

More American boys will get high school education because of the military service to follow.

No American boy will want to go to the Preparatory military school camp without brain education enough to enable him to compete on even terms with his fellows for the officer appointments. He will see to it that he has full time in grammar school and high school to get that education. It will result, in time, in all boys getting high school education, where not over one in twenty receive it now (1920). It will very likely reduce the number of men taking college and university courses and increase the seriousness of study in them, both of which are ends very much to be desired.

Association of men in military school camp training service will break up present drift of American People into classes and masses.

The military school camps will bring together the boys of the backwoods, and mountains, and farms, and cities, on absolutely even terms during the two critical years of boy life. In the military school camps every social condition of boy made before entering the camps is equalized. There might be class among the boys in the schools, but there could be no classes and masses. The boys would have everything alike, even to the money they might have to spend while in the camps. The Federal Government should pay or allow them a small amount, say 50 cents

a month, and it should be a military misdemeanor for a boy in the schools to have more money than his pay in his possession at any time. The tendency to social stratification of the American People into classes and masses which is destroying the get-together sense of American men will be broken before it begins, in the military school camps, and the twelve years of military service together after leaving the school camps will keep it broken to the infinite social betterment of the men of the American People.

Military school camps will help solve problems of the mixing of races in American Citizenship.

The problem of mixing the races in American Citizenship will become nearer solution through the association of the young men of the different races in the military school camps and subsequent National Army service. There is no reason why men of the white, red, brown, and yellow races should not be trained together in the same military school camps on even terms in all respects. There are several very good reasons why they should be trained together on such even terms. For one, it would make the sons of European and Asiatic alien fathers accept their American Citizens' obligation of dominion and forget the thought of allegiance to their fathers' peoples. For another it would make all the men born in American dominion of alien parents learn the American People's language earlier and better, and understand the American People's institution of a natural society earlier and better. For another a law could be made which would make it a serious military crime for a soldier of the National Army to serve in an army of a foreign state.

Citizens of black race can have separate military school camps and be organized into separate troop units.

Citizens of the black race could have separate military school camps, and be organized into separate units, which could be officered by men of their own race without the objection which exists to their becoming officers of the Regular Army. It would be one of the best things which could happen to encourage the self-improvement of the black race in Citizenship. The chance to become officers in the National Army by superior merit shown competitively among themselves, would be a powerful stimulant to their securing the necessary grammar and high school education before going to the military school camps, and it would compel them to a self-discipline which would make them more efficient in industry after leaving the school camps.

Cutting off the supply of criminals at the source.

Practically taking military control of boys at fourteen years of age and holding it till they are nineteen years old would largely cut off the making of criminals at the source. The subsequent twelve years in the "preparedness" service, which would make the men live their lives open, would inevitably keep them from criminal living until the habit of right living had become fixed. The military school camp life of the boys together would be bound to break them of the vices of lying, spying, and dishonorable and unsportsmanlike conduct. Liars, spies, and crooked sportsmen would be unpopular among the boys, who would be sure to see to it that they did not win in the competition to be officers.

Breaking up the vice of spying from becoming an

From some not understandable kink of mental and moral attitude which American men have developed since 1900, that most despicable of all vices, the vice of spying, has become established

avocation of American men.

among them as a legitimate avocation of life, and has been made a Department of the Federal and several State governments, paying salaries and much tin horn honor (?) to those who engage in it. It will raise American moral standards to inoculate the boys of the People against acquiring and practicing this vice as an avocation.

Improvement made in the industrial condition of the people by military school camp training.

The industrial conditions of the American People, the inhabitants, including the Citizens, will be permanently improved and stabilized by the military school camp training of the men between the ages of seventeen and nineteen years. Factory labor and street occupations followed by very young boys, which impair them physically, can be more effectually stopped through the obligatory military school camp training than by any amount of direct prohibitive legislation. The boys will be given every opportunity to grow into physically sound men through this plan.

Constructive governmental policy in industry which trained soldiers will create.

At nineteen years of age the young men will begin their industrial life work physically fitted for its burdens by two years of clean, wholesome outdoor life and training on even terms all together. They would, too, have developed the spirit which will insure them employment as they elect, through their own team force, if foreign-born older workmen undertake to prevent them through trade union control. In fact, it is probable that, one of the first constructive political policies which will follow, as successive classes from the military school camps enter industrial life, will be the exclusion of aliens from trade unions and from Government work

of every kind. It will be thoroughly understood then, as it is not now understood, that men who do not give military service to secure American dominion in war, have no right to take in peace, as against the men who do give military service, the rewards of industry for which American dominion gives opportunity.

Permanent employment provided by National Army.

The National Army by this plan would provide direct permanent employment for about seven per cent of the rank and file in taking charge of the arsenals and maintenance of the war equipment in them. Details of the men could be so arranged for this employment that it would always be available for men of the rank and file temporarily out of private employment.

Boys unfit for field service would make munitions and military equipment.

The boys rejected at the two examinations as unfit for military service, when seventeen years old, would report at the National Army munitions and equipment works provided in every State. They would serve in these works for two years, receiving instruction and manufacturing munitions and military equipment for the boys in the training schools. There would then be, in the event of war, a large reserve of men trained in the manufacture of munitions and military equipment available for that service of supply to the army in the field.

Military spirit developed in men through training and service would keep them from becoming tramps or rebels.

The military spirit which the men would develop with their military training and service would keep them from degenerating into tramps or becoming rebels of any of the several alien types. It would be apt to inspire them to make tramps work, and rebels reform, regardless of their objections. Men who would be giving fourteen years of their lives to military training

and preparedness to hold their dominion, would be very likely to be militantly intolerant of the presence of aliens, and of defectives of their own people as well, who undertook to destroy that dominion, or to make it harder to hold.

Change in spoils system of war has made the development of military spirit doubtful.

But, whether the military training of the men of the American People, the preparing and keeping prepared of the fit part of them for the actual fighting in war, by the writer's plan, or by any other plan, will develop a unity of the military spirit in all the American People which will, without their consciousness of it, impel them to seek to extend their dominion, depends. Just that, it depends. The reason there is a question is because of the change which has been made in the spoils system of war.

The old and the new spoils system of war.

In the old spoils system of war the soldiers—the men who fought through war with fire and sword to victory—took the spoils of war. In the new spoils system of war, the men who make the fire and swords, but who do not fight with them, take the spoils of war.

A soldier's story of the old spoils system in the war of the Tai-ping Rebellion.

To illustrate: A man of affairs who, in his free youth, had been a soldier of the Foreign Hundred in the Heavenly Prince's army through the Tai-ping Rebellion in the early sixties of the nineteenth century, in reminiscence told the writer this story of it:

> He said, "Our Foreign Hundred, mounted, was the advance of the Heavenly Prince's army of the rebels. When we would come to a city we would go around it to the opposite side and station ourselves in the roads coming out of the city. Then our native Chinese troops would

> march into the city, and the frightened inhabitants, running away, ahead of them, would pour out through the roads where we were waiting. Every Chinaman would be carrying a sack containing his valuables. We would stop them and make them dump the sacks. We took only what gold and silver they had. Nearly every Chinaman had a Swiss watch. We took the cases and threw the works away. Every night the day's loot was melted down into bullion to make it easier to carry with us. It was a great life. We were running away from General Gordon with his Ever-victorious Army, most of the time, but they never caught us. When we quit and disbanded, we divided the spoil equally among the Hundred, and had thirty-five thousand dollars apiece."

That was the way of the old spoils system of war. The soldiers took the spoils.

The story of the new spoils system in the War with Germany.

In the War with Germany—1917-1920—alien property custodians took spoils of the war. Dollar-a-year officers took spoils of the war. Shipowners took spoils of the war. Shipyard owners took spoils of the war. Shipyard workmen took spoils of the war. Gun factory owners took spoils of the war. Gun factory workmen took spoils of the war. Powder factory owners took spoils of the war. Powder factory workmen took spoils of the war. Aeroplane factory owners took spoils of the war. Aeroplane factory workmen took spoils of the war. Automobile factory owners took spoils of the war. Automobile factory workmen took spoils of the war. Contractors took spoils of the war. Contractors' workmen took spoils of the war. And there were others who took spoils of the war. The alien property custodian took a thousand millions

of dollars of property of Germans, the enemy. The other spoils-collectors together took ten times as much from the remainder of the American People, including the soldiers.

Business men with business as usual took the spoils, while the soldiers took the exercise of the War.

None of these people who took the spoils of the war with Germany were soldiers. None of them fought in the war. The soldiers of the American People who fought in the war took no spoils. They took all the exercise of the war, while "Business as usual," safe behind the soldier walls of fire and steel, took the spoils of the war more from their soldiers than from the enemy.

This is the way of the new spoils system of war. The American People's soldiers take none of the spoils. American business men take all the spoils and, in the ways of American business men, make more spoils to be taken than the soldiers make. The soldiers only make spoils of war of enemy property. The American business men make spoils of war of their own soldiers' property. How? The spoils are bonds of the United States. The business men took the bonds. The soldiers returned from war now work to pay them.

Soldiers' feeling for new spoils system of war.

That is why no soldier of Our Legion has been heard to say of the War with Germany, "It was a great life." And it is why a very great many of them have been heard to say, "It was hell," which is not the life at all.

Also, it is the why the War with Germany did not develop the military spirit in the American People.

For future wars new

Also, it is the why no plan of military training, or of military preparedness, of the American

spoils system must be discarded for the old.

People, will be likely to develop the military spirit in them unless the new spoils system of war is discarded for the old. The defeated enemy must provide all the spoils, and the soldiers, not the business men, must get them.

In future wars capital and labor making war munitions must serve and be paid as soldiers.

This means that the plan of war, when war comes, must be so made that the labor and capital of the men who make the tools and munitions of war for the soldiers, must make them under the same conditions of service and pay as the soldiers take who use them. The labor of men and the service of capital in making war tools and munitions must be obligatory, and the pay the same per deim as soldiers'. capital, however, taking no pay, but only renewal of so much as wastes.

CHAPTER XVI.

EXTRATERRITORIAL OBLIGATIONS OF AMERICAN DOMINION.

Citizens obligated to secure extraterritorial dominion the same as full territorial dominion.

Besides exclusive or full territorial dominion of land within boundaries which are recognized by all foreign states, the American People have extraterritorial dominion, which is not exclusive, outside of the territorial boundaries inside of which their dominion is exclusive. American Citizens are under the same obligation of dominion to take and keep this extraterritorial dominion secure as they are to keep secure their exclusive territorial dominion. That this is so is not, however, understood yet by all American Citizens.

Extraterritorial dominion defined.

The extraterritorial dominion of the American People is secured as to part of it by peace treaties, as to part of it by the common law of nations, and as to part of it by the military force of the American People. The extraterritorial dominion which is secured by peace treaties is given by foreign states to enable the American People to directly protect their colonies of Citizens in these foreign states. The extraterritorial dominion which the American People have secured to them by the common law, or comity, of nations, or by the international law of states, as it is more commonly but less exactly described, is on their ships on the high seas, over which

no state has exclusive dominion. The extraterritorial dominion which the American People secure by their military force, is the dominion which they take by their declaration that they have it and will hold it, in or over the territories of other states, without taking unto themselves the possession of the territories of those states.

American People slow to recognize and take their obligation of extraterritorial dominion.

The original dominion of the American People, the territory of the thirteen former American colonies of Great Britain, was a compact body of continental land in which they had taken and held the exclusive dominion. There were vast areas of vacant, unoccupied land within its boundaries, which provided for all their new settlements as they increased in population, overflowing their old settlements, during the early years of their dominion. So, from their early condition as independent states, and from their early expansion wholly in their own territory, the American People naturally came to think of their exclusive territorial dominion as being the only dominion to which they had any obligation as American Citizens.

Having no colonies of their People established in the dominions of other states, and not desiring to establish any such, and being remote and isolated from foreign states whose exclusive dominion would interfere with theirs, they were slow and reluctant to take on themselves any extraterritorial obligations of dominion. Those of the People living inland from the coast simply could not understand that they had taken on themselves obligations of extraterritorial dominion along with the obligation of territorial dominion.

American People engage in wars to hold extraterritorial dominion on their ships on the high seas.

The commerce of the American People, however, was carried in their own ships by their own Citizens over every ocean into every country in the World. These ships, when on the high seas outside of American waters, under the then common law of nations, constituted an extraterritorial dominion, which the American People early found it necessary and unavoidable to assume the obligation of by military power. This extraterritorial dominion was repeatedly invaded by foreign states through their seizures of the ships, and of American Citizens from off them, when on the high seas. In the end these invasions of their extraterritorial dominion became the immediate causes of three wars waged by the American People—the war with France in 1798, the war with Tripoli in 1803, the war with Great Britain in 1812-1814—and of the American ship Embargo in 1808, which temporarily surrendered all American extraterritorial dominion under the common law of nations by withdrawing all American ships from the high seas.

American People lose extraterritorial dominion of their ships on the high seas.

The Embargo was a confession of American military impotence. It must be assumed that, regardless of the declared reasons for the action of Congress in making the Embargo, the real reasons were the knowledge of Congress that the military power of the American People was inadequate to secure extraterritorial dominion of their ships on the high seas, and its knowledge that the American People were slow and unwilling to accept the obligation of extraterritorial dominion of their ships on the high seas.

American People have not regained their lost extraterritorial dominion of their ships on the high seas.

The war of 1812-1814, which followed the failure of the Embargo, was reluctantly and spiritlessly waged by the American People to secure this extraterritorial dominion, which was theirs by right. It did not secure it. The peace treaty which ended the war made no settlement of the cause which brought it on. Nor has that extraterritorial dominion of their ships on the high seas, theirs rightfully by the common law of nations, been since secured to them. It is as effectively denied them by the superior military power of foreign states in 1914-1916 and in 1919-1920, as before, in 1812-1814.

Great Britain and Japan divide dominion of high seas.

Great Britain's superior military power in 1920 effectively denies the American People extraterritorial dominion on every sea and ocean except the Pacific north of the Equator. Japan's superior military power denies it on the North Pacific. The division between Great Britain and Japan came about this way: At the naval fight of the Falklands, which was in the South Pacific Ocean west of Cape Horn, the German fleet of five ships was caught between the British fleet of thirty ships and the Japanese fleet of seven ships. At the beginning of the fight the British Admiral wig-waged the Japanese Admiral, "I command." The Japanese Admiral wig-waged back, "Nobody but Japan commands in the Pacific," and kept out of the fight until ten of the British fleet were sunk or disabled.

The Treaty of Paris confirmed Japan's command to the North Pacific and Great Britain's to the South Pacific.

Monroe Doctrine

The first obligation of extraterritorial dominion which was voluntarily and intentionally

the first assumption of extraterritorial dominion by military power.

assumed by the American People, was taken by military power in 1823, when President Monroe made the declaration of what has since then been known as the Monroe Doctrine, that,

> "The American continents should no longer be subjects for any new European colonial settlements."

This extraterritorial dominion has been secured ever since it was declared without recourse to war, although twice it was necessary to threaten war to compel its recognition, first, when France made a colonial settlement of Mexico during the period of the American Civil War, and again when European states having claims against Venezuela threatened to collect them by taking territory from her.

Effects of Monroe Doctrine have secured dominion of American People.

The immediate cause of the voluntary assumption of this obligation of extraterritorial dominion by the American People was to secure the independence of the Spanish-American republican states, which had just before been self-created by the colonists of the Spanish-American colonies through successful armed revolution against Spain, against the further invasion of European states to destroy that independence. It secured the independence of these new American States, as it was intended it should. Also, it had the further effect of excluding the waging of wars between European states from extending to their colonial possessions on the American continents, and so ultimately contributed to secure the dominion of the American People against attack from European states.

American People have

The extraterritorial dominion declared by the Monroe Doctrine has no right to support it

only to look to their necessity when they would take extraterritorial dominion by military power.

except the right of superior military power. It is, however, supported in reason by being a military means of securing the dominion of the American People in their States. In securing their own territorial dominion, the American People are not bound to recognize the territorial dominion of the people of any other state if extraterritorial dominion in it is a means of better securing their own territorial dominion. They are bound to recognize their own necessity for the means as the first and controlling consideration.

China gives extraterritorial dominion to American People by treaty.

The first obligation of extraterritorial dominion assumed through treaty with a foreign state to secure the colonization of American Citizens in that state was given by China in 1844. By the Cushing treaty of that year China granted extraterritoriality to the United States, and Congress, in 1848, extended the Federal laws over American Citizens in China, and created what have since been known as Consular Courts to administer them. The American People still hold this extraterritorial dominion in China. A similar treaty by which Japan granted the United States extraterritoriality in Japan was made later, but ultimately abrogated, Japan regaining exclusive dominion.

China's cession of Island and City of Amoy to United States.

A curious feature of the extraterritorial dominion of the United States in China is that, along with other such concessions, China ceded the United States extraterritorial dominion of the Island of Amoy, on which the City of Amoy is situated, and recognizes its cession which the United States seem to have neglected accepting.

The Island of Amoy is larger than the island on which the City of Hong Kong is situated.

War made against Spain so that American People could take extraterritorial dominion in Cuba.

The second intentional and voluntary assumption by the American People of an obligation of extraterritorial dominion, based on the right of their military power, was made by them in 1898, in their declaration of war against Spain, to secure the independence of Cuba from Spain, which the people of Cuba had been unable to secure in revolt unaided. The American People, in declaring war, undertook to aid the subjects of Spain in revolt against her dominion. This assumption of extraterritorial dominion was not an application of the Monroe Doctrine, but an act of dominion done by the American People without its right, in anticipation of a subsequent application of the Monroe Doctrine. The Monroe Doctrine did no more than secure the independence of an already independent state from European colonization. The declaration of war against Spain was to make an independent American republican state, which would thereafter be secured in its independence through the military power holding the Monroe Doctrine.

Cuba made a protected state instead of being made an independent state.

The war with Spain secured its immediate purpose, the independence of Cuba from Spain, but made Cuba a protected state instead of an independent state. This means that through extraterritorial dominion the American People control all of Cuba's state relations with foreign states, maintain its government against change by civil war, supervise many of its municipal affairs, and wage war in all cases in its behalf, not only with European states, but with American continental states as well. This obligation

of extraterritorial dominion of the American People assumed in Cuba is very near the obligation of full dominion to which they are held in their own exclusive territory.

Extraterritorial dominion taken over Panama making it a protected state.

The third voluntary assumption by the American People, through military power, of an obligation of extraterritorial dominion, was made in 1904 by a recognition of the new republic of Panama as a state under their protection. The Republic of Panama had previously been the State of Panama, one of the states of the Spanish-American republic of Colombia. The people of Panama, acting under an inspiration, apparently, put their State Government out of its offices and declared themselves and the territory of the state independent of Colombia. There was no war of revolution, merely what lawyers would describe as a forcible entry and unlawful detainer of the government of Colombia, and the immediate entry in its place, if not precisely in its stead, of the Government of the United States.

Panama paid the American People to make it their protected state.

The people of the new Republic of Panama paid for the protection of their independence of Colombia by ceding to the United States the territory now known as the Canal Zone. The American People made Panama a protected state instead of an independent state, so that they could take extraterritorial dominion in it, and by means of that extraterritorial dominion secure their own territorial dominion of the Canal Zone and of the Panama Canal.

American People with extraterritorial

While the means were different than taken with Cuba, the end to Panama was the same as the end to Cuba, except in one important respect.

dominion made Cuba prosperous.

The American People having made the people of Cuba free of Spain, assumed the responsibility of Spain to make them prosperous. They gave Cuba a preferential market for its products in their states, which not only made the people of Cuba prosperous, but made Cuba attractive to colonization by the American People. This has been the effect of the twenty per cent preference of the United States import duty on sugar in favor of Cuba.

American People with extraterritorial dominion in Panama have not made it prosperous.

But, although the American People made the people of Panama independent of Colombia, they have not yet assumed the responsibility of Colombia to make them prosperous. In consequence, Panama is not prosperous, but poorer than when a state of the republic of Colombia. Nor will Panama be prosperous until the American People give it the same preferential market for its products in their states as they have given to Cuba. The effect of twenty per cent preference of the United States import duty on sugar in favor of Panama, would not only make Panama equally prosperous as Cuba, but it would make Panama more attractive to colonization by the American People than Cuba is under the same preference.

Security of entire dominion of American People requires that Panama be prosperous and colonized by American People.

While the responsibility of the American People to make Panama prosperous is the same as their responsibility to make Cuba prosperous, the better security of their own territorial dominion from invasion by foreign states is a military reason for making Panama prosperous, and thereby attractive to colonization by the American People who would, as well as should, colonize it. It must be foreseen that some people will colonize in Panama. The land is cheap, and for

the larger part vacant and unoccupied; the soil is highly productive with little labor; the climate, for a tropical country, is exceptionally salubrious, and the trade opportunity of its situation across the Panama Canal, through which all lines of ships carried commerce between the countries bordering the two oceans will pass, will not be overlooked. Panama, when first discovered by Europeans, was said to have had about two million population. Its present population is less than one-half million. It can easily support ten million people when its land is brought under cultivation.

Extraterritorial dominion taken in Haiti and Santo Domingo.

In 1914 and 1916 the American People assumed, by right of their military power, the obligations of extraterritorial dominion, first over the Republic of Haiti, and then over the adjoining Republic of Santo Domingo. These obligations of extraterritorial dominion were not taken voluntarily, but under compulsion of necessity. Unfriendly acts of the two republics toward the people of European states were about to cause new colonial settlements in them by European countries, contrary to the intent of the Monroe Doctrine. The assumption of extraterritorial dominion, making the republics protected states in place of independent states, secured their independence against European states whose threatened settlements would have been the cause of war if the Monroe Doctrine and the extraterritorial dominion which it took on were to be maintained and held longer by the American People.

Experience of American People shows

The experience of the American People in losing and gaining extraterritorial dominion discloses plainly that, like full territorial dominion,

that their extraterritorial dominion depends on their having superior military power.

it is only taken and secured by having the superior military power. Their losing of extraterritorial dominion of their ships on the high seas is because of compulsion put on them by the superior military power of foreign states. Their gaining of extraterritorial dominion in other American states and in China is because the other American states and China have less military power than the American People, and yielded to its superior force.

Fear of each other has held European states from war with the American People over the Monroe Doctrine.

That the extraterritorial dominion taken by the Monroe Doctrine is held, seems to have been due less to real superior military power possessed by the American People, than the fears of European states of each other. No one of them but has feared that, in the event of war with the American People over their Monroe Doctrine, some other European state would have taken advantage of its military engagement in war across the Atlantic Ocean to attack it in Europe.

Extraterritorial dominion taken not as a real test of military power.

The extraterritorial dominion which has been taken in making Cuba, Panama, Haiti, and Santo Domingo, protected states, is more a spectacular exhibition of the clothes worn by the military power of the American People than a substantial demonstration of its force.

Real test of military power of American People to take and hold extraterritorial dominion being made in Mexico.

The real test of the military power of the American People to take and hold extraterritorial dominion is being made with Mexico now (1914-1920). The necessity for taking extraterritorial dominion in Mexico, and for reducing its condition from an independent state to a protected state, is the same necessity which was the precedent cause of Cuba, Panama, Haiti, and

Santo Domingo being reduced from independent to protected states. But where the American People had the superior military power of compulsion over the four little states which were guiltless of military power, they do not have the superior military power over the large state of Mexico, which is obviously guilty of having a correspondingly large military power

Outcome of test with Mexico must be regarded as conclusive.

If, with the same necessity which compelled their taking of extraterritorial dominion of the four small states, the American People do not now (1920, *et sequiter*) take extraterritorial dominion of Mexico, the conclusion must be that, making a real test of their military power to take it, it is disclosed as being less military power than that of Mexico.

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